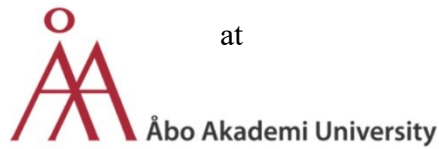


INCLUSIVE DREAMS AND EXCLUDED REALITIES:
AN ANALYSIS AND CRITIQUE OF ‘XENOPHOBIC’ RHETORIC, AND PRACTICES OF
EXCLUSION IN THE SOUTH AFRICAN ‘RAINBOW NATION’

MASTER’S THESIS

Presented to

The Faculty of Arts, Psychology and Theology



Submitted in partial fulfilment
of the requirement for the degree of
Master of Social Exclusion

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Subject: Social Exclusion	
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Title of Work: Inclusive Dreams and Excluded Realities: An analysis of ‘xenophobic’ rhetoric, and practices of exclusion in the South African ‘Rainbow Nation’	
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<p>Abstract:</p> <p>The South African ‘Rainbow Nation’ was an ideology born of the end of Apartheid in 1994 by Desmond Tutu and Nelson Mandela, and used to refer to the dreams and subsequent trajectory of national development of South Africa through the principles of inclusion for all and Ubuntu; and developed through the idea of an African Renaissance. However, as represented by three waves of anti-foreigner violence in 2008, 2015, and 2019, the inclusive dreams of the ‘Rainbow Nation’ seem a distant memory as practices of exclusion present themselves with frequency in the post-Apartheid state. The sentiment evident from analyses of the three waves of violence point to a fear and hostility towards foreigners in South Africa, and have thus been termed ‘xenophobia’ by scholars and media; and have been used consequently in all forms of discourse relating to the violence.</p> <p>However, in further analyses of the causes of the violence, what becomes apparent is the complexity of causality that manifest within the three spheres of the social, economic, and political, that exist in the nation. These thus point to there being broader explanations for anti-foreigner violence than simply being a fear or hostility towards foreigners, borne out of rampant mentalities of exceptionalism by the general population and reinforced through immigration policy. Paying attention to the unique context and historical development of South Africa since 1994, this research will argue that the term “xenophobia” remains too simplistic in its encapsulation of the violence, and that rhetoric surrounding anti-foreigner movements and waves of violence must therefore be understood vis-à-vis the broader structure of the nation itself - along the three spheres of the social, economic, and political that shape sentiment and ultimately result in waves of violence via holistic causality.</p>	
Keywords: Xenophobia, ‘Rainbow Nation’, Exceptionalism	
Date: 27-04-2020	Number of Pages: 77 (Excluding references)

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1 INTRODUCTION

On the 11th of May 2008, a wave of violence erupted in an impoverished township in Johannesburg, South Africa, resulting in many deaths and the displacement of hundreds of thousands of immigrants. This was seen again in a second wave of violence which targeted immigrants, on the 14th of April 2015 in Durban with the same result. And once more on September 1st 2019, a third wave of violence erupted targeting immigrants living in impoverished townships across the country, once more leaving many dead and thousands displaced. The term ‘xenophobia’ has thus far been used by media, scholars and politicians to refer to these attacks; all of whom have sought explanations as to the origins of these devastating movements that specifically targeted immigrants. In each instance of the use of this terminology, the relationship between attacker and victim have been highlighted via the direct contact of the two, and upon which the weight of the terminology employed implies senseless violence based on a presupposed fear or hatred of that which is foreign to the instigators. As a result, contemporary media reports and social rhetoric paint a picture of a nation gripped by a fear or hatred of immigrants along specific economic rationale. Upon further analysis by scholars (Harris 2002; Landau 2004; Neocosmos 2008; Mosselson 2010; Gordon 2015, 2016 and 2019; Hiropoulos 2019; etc.) as to the nature of such violence, there exist arguments towards the existence of numerous causes for so called ‘xenophobic’ violence which extend beyond simply fear or hatred of immigrants, and which hold further root in the social, economic and political spheres of nation and identity construction. Thus, for this reason the use of ‘xenophobia’ as the terminology to describe such eruptions as seen in 2008, 2015, and 2019 remains far too simplistic a label for the construction and eruption of anti-immigrant sentiment as it falls short of describing the processes of social exclusion which occur within and across the broader three spheres of social, economic and political contextualisation; which in this particular case, are rendered unique in the South African context based on its history of exclusion and oppression through the Apartheid system¹ and the nation’s subsequent historical development.

1.1 Aim

The aim of this study is to establish a theoretical understanding of the term “xenophobia” with regards to the historical context and development of South Africa after 1994. This will be done in order to subsequently propose new terminology and discourse to describe the phenomenon popularly described as “xenophobia”, that has manifested in violent waves of attacks in South Africa in 2008, 2015, and 2019. Paying attention to the unique context and historical development of South Africa post-Apartheid, this thesis will argue that the term “xenophobia” remains too simplistic in its encapsulation of the violence, and that rhetoric must therefore be understood vis-à-vis the broader structure of the nation itself - along the three spheres of the social, economic, and political that shape sentiment and ultimately result in waves of violence via holistic causality.

Throughout this research, the term ‘xenophobia’ will be within quotations to denote the disagreement in this text towards its application in common discourse within the public sphere, in addressing anti-immigrant sentiment. In addition, the use of ‘the foreigner’ will be used interchangeably (unless otherwise stated) with ‘foreigners’ or ‘migrants’ or ‘immigrants’ as they will be assumed in this specific context to refer to the group of people outside of South African indigeneity and thus citizenry. Specific cases are stated for which the terms refer to a specificity of an identified group, but for the most part these terms are used to denote along with sentiment, the outsider to the citizenry group. Furthermore, this research will be using the concept of the Rainbow Nation as a theory towards the purposes of arguing how the fundamental theory of the state was manifested and subsequently used as a means by which post-Apartheid state rhetoric hindered upon ‘rainbow nation’ inclusivity- and subsequently how this inclusivity remained largely theoretical in the face of socio-economic realities of the post-Apartheid state. The purpose of this is to show the contrast between ideological liberation of 1994 and the realistic inability to manifest theory to such things as economics and legislation.

1.2 Research Question

The key question that this research will be inquiring is *how are ‘xenophobic’ rhetoric, and practices of exclusion manifested and expressed in post-Apartheid South Africa?* This question is

intended to direct this body of research towards the rise of the use of the term ‘xenophobia’ in common rhetoric via a review and analysis of exclusionary policy and sentiment across the social, political and economic spheres of the nation, and to problematize its application in the South African context on the basis of its unique historical development across these spheres, following the end of the apartheid system in 1994.

The analysis will review the attitudes recorded in the existing scholarly records that surround the attacks; and argue towards their being a larger reaction to the shortcomings of the state promises made upon the creation of the “Rainbow Nation” in 1994. This creation, I will argue, stood upon the back of the struggles and ideologies of the founding figures of the nation, as well as liberation fighters throughout Africa; and is subsequently the ethos embedded within the ideology of the Rainbow Nation’s creed of equality and inclusivity for all. To this purpose, the review will seek to identify the ways in which recorded attitudes may arise, and subsequently drift from the promise of inclusion laid out in the 1994 constitution; and thus serve to argue that the term ‘xenophobia’ fails to account for these larger historical shortcomings.

Key focus will be on analysing the existing rhetoric of ‘xenophobia’, as seen through the scholarly records by suggesting that the rhetoric needs to be redefined to encompass the nature of the violence itself. In order to do this, three specific waves of violence in 2008, 2015, and 2019 will be analysed. This rhetoric is suggested to be a form of ‘scapegoating’ – in this case foreign African migrants are made to be the explanations as to why the state has failed to live up to the promises of the Rainbow Nation. That is to suggest therefore, is that the cause of so called ‘xenophobic’ movements are actually a result of the broader social and structural consequences of the failed manifestation of promises that render the ideology of the "Rainbow Nation" hollow.

High expectations by the newly liberated South African populace is at the core of policies of exclusion (such as immigration policy), as they resulted in the establishment of ‘exceptionalist’ mentality; and thus were subsequently a vital instigator for the waves of anti-immigrant violence. The purpose once more will be to create a holistic analysis of exclusion towards immigrants that stems not simply from a fear or hatred of the foreign, but rather from a developmental incubation of ‘exceptionalist’ expectation, from which the immigrant is instead seen as the cause of the unfulfilled promises of the “Rainbow Nation”, and are thusly *scapegoated*. Evidence for this will be provided once more across the three spheres of economic, political, and social, and towards which the sentiment of blame becomes a burden shouldered by the immigrant population,

specifically those from the African continent. Finally, these will thereafter be analysed according to Harris' (2002) presentation of three hypotheses for explaining 'xenophobic' violence: 'the scapegoat hypothesis', 'the isolation hypothesis', and 'the biocultural hypothesis'; which will serve as theoretical models for conceptualising the blame of exceptionalism accordingly, via a holistic approach to the construction of causality. In this way therefore, this research distinguishes itself by expanding the realm of consequence via the proposition of sufficient terminology which captures the holistic nature of causality behind the instigation of anti-immigrant violence.

1.3 Sources

This research draws on sources composed of academic articles, books, news reports, web articles, speeches, official government documents; in order to answer the question of how 'xenophobic' rhetoric and practices of exclusion manifest and are expressed in post-Apartheid South Africa. This thesis makes use of empirical sources such as newspaper articles, web articles, speeches and official government documents, which will mostly be used as primary sources, and used in subsequent chapters as analytical evidence for the construction and expression of 'xenophobic' rhetoric and sentiment in South Africa. News articles will be specifically used for the waves of violence that erupted in 2019, for which academic literature is limited as a result of how recent this violence was at the time of writing this text. These news articles will include Burke (2019), Dahir (2019), Gerber (2019), McKenzie (2019), amongst others. Al Jazeera (2019), for example is used in this research as data towards the 2019 violence, and is written during the events themselves; thus serving as primary evidence.

Furthermore, most website posts such as Kunene (2017), George (2018) and Gumede (2006 and 2019), amongst others, serve as points of reference from the time and used to critique employed state ideologies, such as that of the 'Rainbow Nation'; as well as to emphasise public perception towards corruption.

Statistical evidence is used as empirical data and is provided through independent research conducted by Non-Governmental Organizations (NGOs) which include: 'Corruption Watch' (2012 and 2018), The World Bank (2018), Human Rights Watch (2016 and 2019) and MacroTrends (2020a and 2020b). These statistics are independently conducted by the

aforementioned NGOs and are reflective of arguments made through the literature and in the news reports listed above.

Additionally, Xenowatch is a tool developed by the African Centre for Migration & Society (ACMS) at the University of Witwatersrand, and whose purpose is to monitor and report on potential ‘xenophobic’ threats and activities; and from which statistics are compiled of anti-foreigner activity each year. Similarly, Mbembe (2015a) is a commentary on the events of 2008, in which the professor and scholar discusses and analyses violence in South Africa from a commentary perspective. Similarly, Mbembe (2015b) is also a commentary conducting via the University of Witwatersrand in Johannesburg, as a platform of commentary by professor Achille Mbembe. Furthermore, some primary sources included in this research are: ‘the Constitution of the Republic of South Africa’, the ‘African National Congress 1994 Election Manifesto’, the ‘Operation Fiela’ mandate, the ‘Truth and Reconciliation Commission’ government page, as well as segments of the 1994 inauguration speech by Nelson Mandela. These sources will be used as supporting evidence to the research literature that will be discussed below, as well as material to build the context of post-Apartheid South Africa which will be reviewed in Chapter 2.

The remainder of the sources (discussed below) serve as secondary sources whose data compiles analyses pertaining to the scope of this research, and from which arguments presented are of a wide variety. These are comprised of books and academic articles which make up the body of the research literature. These eventually help to provide different perspectives to the arguments by showing the limits of the use of the term ‘xenophobia’ in describing the waves of violence analysed in Chapter 4.

Three scholars appear frequently – Browyn Harris, Michael Neocosmos, and Loren Landau – in literature on ‘xenophobia’ in South Africa. Of these sources, in particular Harris (2001 and 2002) is used to analyse the ways in which ‘xenophobia’ manifests via the use of three hypotheses - these are analysed in detail in Chapter 4. Harris (2001 and 2002) is referenced in much of the literature that pertains to ‘xenophobia’ in South Africa, due to his analysis of the causes of ‘xenophobia’ and the subsequent perspectives of understanding them. Similarly, Neocosmos (2006 and 2008), appears frequently in literature of the same nature and for the same reasons as Harris (2001 and 2001). However, Neocosmos goes further by exploring the ways in which foreigners to South Africa are specifically targeted in attacks. Landau (2004, 2005, 2011) and Landau,

Ramjathan-Keogh and Gayatri (2005) appears in most, literature reviews that pertain to ‘xenophobia’ in South Africa, to ascertain the origins and nature of ‘xenophobia’ in South Africa over the last two decades, and to explain why it has manifested in particular areas whilst not appearing in others. Furthermore, Landau argues towards the existence of a ‘state of exception’ from which the state acts with impunity to exclude foreigners, and thus promotes exceptionalism amongst the population, born of the perception of their being deserving of the promises at the end of Apartheid. Each of these scholars have been referenced as primary points of reference in much of the literature for their analyses of the causes of ‘xenophobia’ in South Africa. In much the same way, this research will employ them to explain the origins of anti-immigrant attitudes which will later be seen across the wider spectrum of social, political, and economic causality. The state of exceptionalism will also be further explored as it pertains to the rise of ‘xenophobic’ rhetoric through its expression of the exclusion of foreigners.

The main sources used to support these arguments throughout this research include Mosselson (2010), who explores the ‘state of exception’ in South Africa and the way in which the state functions to exclude African migrants; subsequently resulting in their being targets for ‘xenophobic’ violence. Similarly, Solomon and Kosaka (2013) review the social construction of attitudes that contribute to perceived enemy images of foreigners. Gordon (2015 and 2016) similarly explores attitudes towards foreigners through the use of quantitative analyses of public attitudes towards them, and Gordon (2019) continues this by addressing the government’s denialism of ‘xenophobia’ in the face of these public attitudes. Crush (1999), Crush and Dodson (2007) and Crush and Ramachandran (2010) address the state denialism of anti-foreigner sentiment by analysing the way in which it fails to implement policy to deter such sentiment, and consequently how the state responds by tightening immigration policy. Hiropoulos (2019) takes this further by examining the representation of migration in South Africa by deconstructing the perceived social crisis of migration as a form of government scapegoating for its own failure.

Thus, through the use of both empirical sources and research literature utilised in this research, they will provide evidence to explain and support how ‘xenophobic’ rhetoric is constructed, and subsequently how practices of exclusion are expressed in post-Apartheid South Africa.

1.4 Previous Research On Xenophobia in South Africa

Xenophobia is most commonly characterized and defined by feelings of fear and dislike to persons from other countries (Oxford dictionary). In the South African context, the term xenophobia has been used to refer to any and all antagonistic action or dialogue targeting immigrant groups, and has most often been perceived of as a strong fear, dislike or hatred for these groups in the public sphere (Neocosmos 2008; Solomon and Kosaka 2014; Beetar 2019).

In addressing the notable waves of violence that have erupted in 2008, 2015, and 2019, scholars use the term “xenophobia” to describe the phenomenon by which segments of the general population harbour a fear or a hatred towards foreigners (Landau 2004, 2005 and 2011; Pillay et.al. 2008; Neocosmos 2008; Crush and Ramachandran 2010; Gordon 2015, 2016 & 2019; Amusan and Mchunu 2017; Hiropoulos 2019; etc.). Deeper exploration into the scholarly record documents the rise of attacks and violent outbreaks over the last few decades which have targeted a specific demographic of the population: the migrant population, specifically from other African countries (Neocosmos 2006; Mamabolo 2015; Langa & Kiguwa 2016). “At its height, xenophobic attacks in South Africa have appeared to exclusively involve African immigrants” (Mamabolo 2015:144), with immigrants from Nigeria, Zimbabwe, Mozambique, Somalia, and Egypt being amongst those specifically targeted due to the perception of their ownership of perceived “successful small and micro-business entrepreneurs operating in cities, townships and other localities” (Mamabolo 2015:144). This is further seen through derogatory terms such as ‘*Makwerekwere*’ (Hickel 2014; Mamamabolo 2015; Moagi, Wyatt, Mokgobi, Loeb, Zhang & Davhana-Maselesele 2018) which act as verbal rejections (Langa 2016:82) of African migrants, and is an “onomatopoeia for someone who speaks unintelligibly, a “babbling”” (Hickel 2014:103).

What is particularly central to this research are the rhetoric that currently surround the violence. As mentioned above, “xenophobia” is the commonly accepted terminology used to describe the attacks, as well as the anti-foreigner movements and sentiments that currently reach across South Africa. Gibson (2011) cites Zimbabwean writer Mavuso Dingani who argues that the term ‘xenophobia’ is too empty a term that says much and explains little” (Dingani 2008; Gibson 2011:194, Langa and Kiguwa 2016:76). That is to suggest that it is too limited a term to define the scope and implications of the attacks. Furthermore, Andile Mngxitama argues that “xenophobia is hatred of foreigners and that in SA [(South Africa)] foreigners are black and there are no white

foreigners, just tourists, investors, professionals and potential employers” (Mnxitama 2008, cited in Langa & Kiguwa 2016:76). Thus, as will be argued in Chapter 4, the term ‘xenophobia’, when used to explain contextual violence rooted in anti-foreigner sentiment, falls short of explaining the nature of these contexts; such as the systems of categorisation for victimisation and towards which violence is directed.

Furthermore, Harris (2002) argues that a dictionary definition of xenophobia is somewhat misleading as the context of South Africa is not restrictive to fear or dislike of foreigners as its consequences result in great tension and violence towards immigrants. Harris goes on to provide examples from interviews of immigrants where they were refused help from citizens and police due to the fact that they were not Zulu. Thus, Harris proposes three hypotheses of explaining the origins of xenophobia, expanding on theories originally provided by Morris (1998); which he labels ‘the scapegoating hypothesis’, the isolation hypothesis’, and the ‘biocultural hypothesis’ (Harris 2002). In short, the ‘scapegoating hypothesis’ “looks at xenophobia within the context of social transition and change” (Harris 2002:171); wherein conditions of limited resources coupled with high expectations create frustration and causes people to seek blame for these conditions. As a result, violence is “not an inevitable outcome of relative deprivation” (Harris 2002:171).

The ‘isolation hypothesis’ according to Harris, “situates foreignness at the heart of hostility towards foreigners” (Harris 2002:172), and explains apartheid as being a cause for xenophobia due to South Africa’s seclusion from the International community (Harris 2002:172). In this way, foreigners become an unknown to South Africans, and thus interactions with foreigners are placed within an environment of hostility that is allowed to develop due to this unknown (Harris 2002). Lastly, the ‘biocultural hypothesis’ proposes that there is a difference between the various types of foreigners in South Africa, and provides an explanation as to why some foreign groups are targeted in hostilities and not others (Harris 2002). Specifically, visible difference and otherness are key criteria for difference and are seen in action, for example, through the implementation of the Aliens Control Act (reviewed in Chapter 3).

Ultimately, although providing the three hypotheses, Harris argues that “they do not interrogate the term [xenophobia] itself. That is, they accept and present the term as a given, as a neutral term of description” (Harris 2002:177). Thus, Harris argues, in order to understand the term xenophobia, there requires considerations of the social relations and identities and are reproduced within it (Harris 2002). These arguments thereby become a central point for the rest of

this current research whereupon the three hypothesis each present an angle by which to analyse xenophobia, without necessarily presenting it as definite explanation for violence. Therefore, they will be used as theories in this research to propose an alternate review of the violent movements, from a structural perspective in particular, along the existing social relations and identities associated with xenophobia.

Further scepticism of the use of the current terminology is seen in Chandia and Hart (2016), who take a similar approach to Harris (2002), wherein they argue that the current portrayals of ‘xenophobia’ “obscure the far more widely lived experiences of xenophobia, which appear as a means of reinforcing otherness with the purpose of excluding such others from the benefits of citizenship or residence in South Africa” (Chandia and Hart 2016:29). This therefore suggests that current portrayals of ‘xenophobia’ require adjustment to account more broadly, the reinforcing of otherness as a pretext to citizenry and belonging.

Mamabolo (2015) on the other hand draws connections from poverty and the lack of access to resources as driving forces in “developing hatred against successful foreign nationals” (Mamabolo 2015:144), which thereby result in violent attacks and abuses across the country. Furthermore, Solomon and Kosaka (2016) argue that:

“the system of apartheid has had a huge effect on the attitudes of South African citizens for a number of reasons. The end of apartheid meant the waiving of international borders and for Southern Africans to come into contact with people previously unknown. According to this argument, a brutal culture of hostility towards strangers and no history of incorporating them meant that South Africans were, and still are, unable to tolerate difference” (Solomon & Kosaka 2016:10).

From this perspective, Solomon and Kosaka (2006) lend a voice towards the argument that the system created in 1994 was thereby unable to adapt to the social changes that took place as it replaced the old structure of Apartheid.

Landau, Ramjathan-Keogh and Singh (2005) continues this somewhat by explaining how attitudes towards black foreign nationals often fall “across South Africa’s socio-economic and ethnic spectrum” (Landau, Ramjathan-Keogh and Singh 2005:02), whereupon discrimination of foreigners stem from fears of economic competition, and that they are a “drain on public resources” (Landau, Ramjathan-Keogh and Singh 2005:02). Most notable to this research, Landau observes

that foreigners become scapegoats “used to justify the shortcomings of elected leaders” (Landau, Ramjathan-Keogh and Singh 2005:02). These arguments will be central to the arguments of this research as they provide a description of how ‘xenophobia’ presents itself within society, as well as how government and government officials treat foreigners. This will be analysed in relation to Harris’ (2002) three hypothesis to show that ultimately, the perspective of viewing foreigners as scapegoats is, on the one hand, specific to the economic failures and broken promises of the government.

2 THE ‘RAINBOW NATION’ AND ITS CHALLENGES

In the aftermath of the apartheid era, the challenge to build a nation free of the histories of oppression of the past were clearly a primary goal for the new nation. Two ideological fields were the driving force of behind the nation-building challenge in South Africa: the ‘Rainbow Nation’, and the African Renaissance. According to Boloka (1999), “new changes in South Africa warrant the formation of new ‘identities’ based on the new systems of signification” (Boloka 1999:94). Furthermore, Boloka argues that in the face of the new systems, identities change to match them and as such in the context of post-apartheid South Africa, the symbols of restructuring afforded to the nation new identities constructed and evolved around change (Boloka 1999:95). Thus, one of the main rebuilding goals of the New South Africa was the creation of an identity built upon the foundations of the ideologies of the ‘Rainbow Nation’ and the African Renaissance.

The term and concept of the ‘Rainbow Nation’ was coined by Archbishop Desmond Tutu at the dawn of the 1994 constitution, and then subsequently used by Nelson Mandela to refer to the nation-building challenges of inclusivity and multiculturalism in the new South Africa (Habib 1997; Evans 2010; Buqa 2015). “As South Africa’s first democratically elected president, Nelson Mandela championed a vision of the nation that resolved the painful contradictions of apartheid into a metaphor for multicultural unity – the ‘rainbow nation’” (Radhakrishnan 2019:127). Thus, in this regard, the concept of the ‘Rainbow Nation’ in many contexts refers extensively to the nation within which multi-culturalism, equality, and freedom are characteristic elements, embedded within the constitution, as well as observed practically by those who reside within the nation. “South Africa is now called the Rainbow Nation because this means unity within multi-culturalism and the coming together of people of many different races” (Buqa 2015:05). This is seen in Mandela’s own words in his 1994 inauguration speech: “A rainbow nation at peace with itself and the world” (Mandela 1994).

2.1 Ubuntu and The African Renaissance

Central to the dreams of inclusion at the heart of the Rainbow Nation, and as part of the challenge of national rebuilding, are the concepts of ‘Ubuntu’ and the ‘African Renaissance’. Ubuntu is an

African philosophy that represents, and promotes shared humanity through compassion, morality, forgiveness, reconciliation; concepts intended to heal aspects of South Africa's systematic and social past (Bennett 2011; Stone 2016; Mabera 2017; Shange 2017). Shange (2017) states that Ubuntu “prioritises respect for all people, culture, ancestors and the environment” (Shange 2017:62). In its essence therefore, Ubuntu calls for group solidarity and the interdependence of community to achieve these principles of a shared humanity, towards a morally ‘good’ way of life. Scholars (Bennett 2011; Mwiripikeni 2018, etc.) agree that the philosophy of Ubuntu has been used by the Mandela regime as a foundational philosophy in the creation of a new South African society and state. The term is often used in conjunction with theories of an African renaissance (discussed below), with van Hensbroek noting that: “the value within South Africa of the ideas of African Renaissance and Ubuntu may lie especially at the national level, in reconfirming the identity and overall ambitions of the post-Apartheid state as focussed upon African emancipation, non-racialism, humanism and social justice” (van Hensbroek 2001:05).

Shange (2017) argues that “SA’s [South Africa’s] history of resistance has deep links to Marxism, but also draws heavily on Ubuntu” (Shange 2017:62), as Ubuntu emphasises communalism and community. Similarly, Stone (2016) recognizes the calls for group solidarity underlined in Ubuntu. In addition to this, Bennett (2011) analyses this through applications of the law and theorise of equity, whereupon, “like equity, Ubuntu is functioning as a metanorm to correct injustices resulting from the application of abstract rules of the common law, or even on occasion, the Bill of Rights” (Bennett 2011:49). Bennett also answers critiques of Ubuntu that suggest it of being overly generalised, arguing that it is generalized because it cannot be described as a rule or even a principle, for the purposes of representing a moral way of life (Bennett 2011). In this way, “while public policy is *informed* by Ubuntu, the converse is not necessarily true” (Bennett 2011:51) as it maintains its authority as a moral and philosophical significance as the first African concept adopted into law (Bennett 2011:30). Stone even claims that “the Constitutional Court was invariably inspired by Ubuntu when it developed African customary law” (Stone 2016:12).

The ideology of the African Renaissance, on the other hand, featured prominently in many speeches delivered by Thabo Mbeki who succeeded Mandela as president. Coined by Pixley ka Isaka Seme (SAHO 2011), one of the founders of the South African Native National Congress - the forerunner of the current African National Congress (ANC) - in 1906 and popularized by the

Senegalese historian and philosopher Cheikh Anta Diop in the 1940s, Mbeki used the concept in describing the nation rebuilding goal of the new South Africa. In speech in 1998 at the United Nations University in Japan, he presented his view on the African Renaissance a year before he was elected president of the Republic. For him, the African Renaissance projected both into the past and the future. Africa must be free and reborn, “[...] the peoples of Africa entertain the legitimate expectation that the new South Africa, which they helped to bring into being, will not only be an expression of the African Renaissance by the manner in which it conducts its affairs, but will also be an active participant with other Africans in the struggle for the victory of that Renaissance throughout our continent” (Mbeki 1998).

It can be seen from Mbeki’s speech in 1998, that the concept of the African Renaissance (for the context of South Africa) was a key component to the continuation to the rebuilding task inherited from Nelson Mandela’s regime. The Renaissance thus was pictured to be a South Africa fostering a future, post-colonialism and apartheid, in which African people began a history detached from the colonial past, and that which would herald the dawn of a new history of Africa defined by peace, equality, inclusion and self-governance. The concept, as it can be seen in the speech excerpt, viewed this from the perspective of a unified Africa towards the goal of progressing through cooperation.

Furthermore, as William M. Gumende (2006) states, “the idea of an African Renaissance publicly embraced by Mandela and Mbeki, had much to do with a democratic South Africa’s historical obligations towards Africa” (Gumede 2006). In so keeping with these obligations, it further marked the dawn of a period of time, post which African countries experienced the detachment from the colonialist (Boloka 1999). Thus, as an ideology, the African Renaissance was viewed to mark Africa’s revival post colonialism, and was fervently articulated and worked-towards by Thabo Mbeki as a symbol of “Africa’s empowerment” (Boloka 1999:93). This empowerment would therefore be heralded by the creation of a new period of African history “built upon the various heritages that come together in African reality today” (van Hensbroek 2001:04).

Thus, much like Pixley ka Isaka Seme, and Cheikh Anta Diop, Mbeki speaks of a form of African unity through which the people of Africa enter a new period of creating a history from the onset of this departure from a colonial past. And in the context of the new South Africa, and with Mbeki at the helm, this renaissance was indeed appearing to manifest in social perception. This is

particularly so as indicative from Mbeki's foreign policy which was geared towards reconsolidation and the growth and cooperation of African countries' political, economic and social development, and reinforced by its commitments to the Southern African Development Community (SADC) which was established in 1992 (Dalamba 2000; Klotz 2000; Geldenhuys 2010 & 2015). Further commitments to this included the historic African Renaissance conferences which were first held in September 1998 (Dalamba 2000) and have continued to the present.

2.2 Promises of The New South Africa (ANC Election Manifesto 1994)

Prior to the 1994 elections, the ANC issued an election manifesto on March 15 1994, in which it outlined its promises to the nation. This sub-chapter will outline some of the relevant (to the scope of this research) points in the election manifesto, as they serve as the written and published promises of the ANC months prior to their victory in the elections, and which have kept them in office for 26 years. Specific to this, are the subheadings contained within the manifesto: 'a clear plan', 'a government for the people', 'public works programme and eliminating discrimination – affirmative action', 'peace and security for all', 'taking our rightful place in the world' and 'our region and our continent'. These will be reviewed briefly through their key points, and for how they have been outlined in the manifesto to be the promises to the nation and a plan for national rebuilding.

Contained within the section titled "A Clear Plan", the ANC outlines the goals they seek to achieve through an outlined approach. They are as follows:

- "a democratic society based on equality, non-racialism and non-sexism;
- a nation built by developing our different cultures, beliefs and languages as a source of our common strength;
- an economy which grows through providing jobs, housing and education;
- a peaceful and secure environment in which people can live without fear." (*African National Congress* 1994).

Working according to the Reconstruction and Development Program (RDP) (reviewed in the next section), the ANC's promises functioned according to the later Rainbow Nation model which promoted unity, economic improvement, and peace. This section therefore outlined these points in its vision for its future governance.

Within the section titled 'a government for the people', the ANC promised the creation of the anticipated new constitution, that would function under democratic principles that included:

- "a constitution and Bill of Rights which guarantee human rights for all, including the right to a minimum standard of life;
- the right of all people to elect a government of their choice in regular, free and fair elections in a multi-party democracy;
- democratic government at provincial and local levels, with the powers and resources to meet people's needs;
- an independent judiciary and constitutional court protected from any government or party political interference;
- freedom from discrimination on racial, gender or any other ground;
- freedom of association and the right to worship" (*African National Congress* 1994).

Central to this section are the tenants of "human rights for all"; a democratic government at all levels "with the powers and resources to meet people's needs"; and "freedom from discrimination on racial, gender or any other ground" (*African National Congress* 1994). These are central both to the ideology of the Rainbow Nation and the criteria towards which the anticipated constructed national identity upholds the freedoms of individuals and seeks to eradicate discrimination.

Furthermore, under the title 'public works programme and eliminating discrimination – affirmative action', the public works programme was a promise by the ANC towards the creation of a national program, intended to "address community needs and create jobs" (*African National Congress* 1994). The intended programme promised, over the course of ten years, to create employment and training for 2.5 million people, as well as building community infrastructures, and providing basic necessities, schools, health facilities, and houses to meet peoples' needs (*African National Congress* 1994).

Under the ANC's promise to eliminate discrimination through affirmative action, it was intended that working through the public works programme, opportunities would be opened to all who were previously discriminated against, through measures that would "benefit all levels of society" (*African National Congress* 1994) by encouraging all members of society to feel united and part of the national movement.

In the section titled 'peace and security for all' in election manifesto, the ANC promises promised an end to violence in communities, stating "we must end the culture of violence created by apartheid... We all deserve to live in a safe environment." (*African National Congress* 1994). They further outline this plan of action through the following promises:

- "a government that represents all the people and implements a programme to create jobs;
- a government committed to dealing firmly with violence and crime and one that does not simply point fingers;
- a programme to promote political tolerance, respect for the country's constitution and laws, and peaceful ways of handling political differences;
- a gun control programme to minimise the number of guns in the hands of individuals and to eliminate gun smuggling;
- a police force accountable to the communities in which it is based;
- a programme which emphasizes rehabilitation instead of vengeance."

(*African National Congress* 1994)

Once again the promise to create jobs is a central promise of the ANC, and is seen here as a means to ensuring peace and security. Furthermore, tolerance and respect are also key promises with regards to difference, and the promotion of peace therefore is clearly stated once again in the document.

Finally, in the sections titled 'taking our right place in the world' and 'our region and our continent', a key component that sets the tone to the future foreign policy of the ANC is outlined in these two sections. The first is the ANC's commitment to ensuring strong economic and social relations between nations, both within and outside of the continent. In its election manifesto, it details this through "fields such as sport, culture and tourism" (*African National Congress* 1994). Furthermore, the election manifesto directly states that "our destiny is intertwined with that of

Southern Africa” (*African National Congress* 1994). As such, the ANC promise here was to build closer cooperation and economic integration with the Southern African region.

2.3 Post-Apartheid Rebuilding Goal

Following Mandela’s election in 1994, a new constitution was drafted to replace the previous interim constitution; and through this constitution, Mandela’s multiparty government “aimed to provide Africans with improved education, housing, electricity, running water, and sanitation” (Lowe et al. 2020). According to the opening preamble of the constitution of 1996, the goals of the New South Africa centred upon a recognition and reconciliation of the past period of exclusion, towards a unified democratic nation. In order to achieve this, the government replaced the socialist economic policies of the previous era in favour of more macro-economic, neoliberal liberal policies that encouraged the entry of foreign aid and investment (Hirsch 2005; Williams 2006; Lowe et al. 2020). This was due exclusively to the deteriorating economic situation inherited by the Mandela administration in 1994. With a large decrease in economic growth due to the end of the gold standard in the 1970s; severe recession from 1989-1993; a significant decline of foreign investment (and increased disinvestments); and foreign sanctions on the apartheid regime (Freund and Padayachee 1998; Hirsch 2005), the nation’s pre-1994 economy was “ranked amongst the worst in the world” (Freund and Padayachee 1998). Thus, Mandela’s post-apartheid economic strategy was paved under the Reconstruction and Development Programme (RDP), which meant, according to Hirsch, that the “ANC government had to undertake a general restructuring of the economy *and* a reorientation of the economy towards the historically excluded masses at the same time” (Hirsch 2005:69). Thus, one major task of Mandela’s ANC government was the economic recovery of the nation in order to provide for the promises it had laid out to the people.

Furthermore, in 1995, the Mandela administration established the Truth and Reconciliation Commission (TRC), whose charter was designed to help the nation come to terms with the apartheid era and the subsequent post-apartheid transition (“*Truth and Reconciliation*” 2020). Based on the *Promotion of National Unity and Reconciliation Act, no.34 of 1995*, the commission was chartered with investigating human rights violations stemming from the apartheid past, in the post-apartheid state (Greffrath 2016). Greffrath (2016) argues that this this therefore required that

it shaped a new narrative centred on the theories of the Ubuntu and the ‘Rainbow Nation’, to create a new national identity. Thus, through such means as the TRC, a goal of the post-apartheid state involved reconciliation with the past and the construction of a new national *identity* based on inclusion and unity.

2.4 A State of Expectation: Realities of The Post-Apartheid Nation

At the turn of the mid-1990s with the election of Nelson Mandela as president of the Republic of South Africa, expectations were high for a nation of new beginnings centred on the promotion of democratic ideals and the introduction of policies that would eliminate poverty and inequality experienced by the majority of the nation (Dubbelde 2013; Padayachee and Desai 2013). The economic inequalities and consequences will be analysed in the next section. However, the inherited inequalities experienced by many South Africans stretched across nearly all sectors of society, from the job market, to economic inequality, violent crime rates, healthcare, and service delivery; and as a consequence the dream of the 1994 elections and promises of the ANC government brought with it high expectations for quick and efficient improvements in each of these sectors, centred upon economic uplifting (Padayachee and Desai 2013).

Furthermore, rhetoric and discourse of an African Renaissance, and Thabo Mbeki’s leadership position in such discourse brought with it further expectations to the general population of a South Africa at the helm of these ideologies upon its fruition (Padayachee and Desai 2013). Whilst expectations on their own are a natural consequence of periods of transition from periods of oppression and struggle, to periods of liberation and freedom; what becomes apparent in the case of these specific expectations are the ways in which they create amongst South Africans the perception that South Africa is *exceptional* in that it has risen above the challenges of its past and forged a new future different from other nations on the continent (Mbembe 2012; Gordon 2016; Cheeseman 2017) – this new future has been discussed in the previous section as the Rainbow Nation. This form of exceptionalism, Gibson (2011) argues, stems from the chauvinistic perception that the ‘Rainbow Nation’ posits evidence that the nation is not developmentally a part of Africa given its historical trajectory and successes of reconciliation with its past greatly resembling that of the Americas and Europe; and thus the democratically developed state of 1994 is exceptional to

the rest of the continent for its cultural, political and economic complexities (Neocosmos 2008; Gibson 2011). This exceptionalism is further a means of justification by the state for the categorisation of people within the nation and for the further promotion of policies that target people in economic and political centres to whom it views as undeserving of the services exceptionalism provides – this largely refers to refugees and African migrants (Landau 2006; Neocosmos 2008).

The high expectations experienced by many South Africans at the end of Apartheid arguably created a sense of entitlement towards the acquisition of material change which was perceived to be warranted in the face of injustices experienced in the past; and this can be seen as a source of discontent towards government promises in the face of the slow, or non-existent manifestations of these promises (Glaser 2009). As a result, what becomes apparent in the face of continued deprivation of that which was expected, is as Harris (2002) argues, a resort to blame seeking in the form of the ‘scapegoating hypothesis’ – this has been discussed in Chapter 1, and will be elaborated upon further in Chapter 4. Growing frustrations and relative deprivation, as well as limited resources to meet expectations thereby counteract perceived entitlement as Wessels (1999) argues: “trapped within poles of political freedom and economic empowerment, a stable transition in South Africa is also under threat from the politically liberated masses’ perception of the discrepancy between their value expectations and their value capabilities” (Wessels 1999:241). Indeed, this argument holds further ground 14 years later where upon the death of Mandela in 2013, and with conditions remaining largely poor and unchanged for the majority of the South African population, there is growing agreement that the envisioned ‘Rainbow Nation’ of Mandela and his administration has failed, and has been replaced by a nation of expectations left unfulfilled (Greffrath 2016).

The trend remains that expectations and entitlements of many South Africans remain rooted in the economic uplifting of deprivation and poverty experienced during the Apartheid period. The reality remains that for most, these expectations have not been realised as the economic situations seem to worsen. Thus it is to this end that many scholars such as Harris (2002), and Landau (2006) look to these expectations as probable reasons for hostility towards immigrants – these will however be discussed more in Chapter 3 and 4.

2.4.1 Critiquing Ubuntu and The Rainbow Nation

In light of the birth of a new nation founded on the principles of inclusion and multiculturalism, and following a system of segregation and hate, Landau (2011) notes that “many South Africans anticipated a share in the enormous wealth accrued by the country’s white minority. But instead of experiencing redistribution many residents are relatively poorer than they were during apartheid and South Africa remains the tenth-most unequal country in the world [in 2011]” (Landau 2011:11)- this can be seen in the previous sub-chapter. By 2019, research indicates that South Africa stands as the most unequal nation in the world as measured by the Gini index; with poverty rates at 26.6% and unemployment rates at 27.3% (similar to statistics in 2018) (Beaubien 2018; Suneson and Stebbins 2019; Partington 2019). With these large international statistics revealing a darkening reality of the ‘Rainbow Nation’, increasing scepticism emerges regarding the ideological realisation of the ‘Rainbow Nation’, and whether its founders accounted for, and were capable of adapting to, the wider social problems of racism, crime, poverty, etc. that have become endemic of contemporary South Africa (Habib 1997; Evans 2010; Teeger 2015; Wa Azania 2018).

Thus, in the face of this scepticism, politicians succeeding the Mandela administration have come under criticism as the ideals of Mandela have clearly not manifested; or appear to be diverging from the founding ideologies of the ‘Rainbow Nation’ itself (Booyesen 2013; George 2018; Battersby 2019). The rampant poverty statistics are indicative of this, and as a result of the current leadership, scholars agree that there is increasing dissatisfaction with the current ANC government (Landau 2011; Booyesen 2013; Mbembe 2015 & 2015; Ochieng 2017). Most noticeable to this increasing dissatisfaction are the attitudes towards the cases of corruption that are symbolic of the Zuma regime (Booyesen 2013) – discussed later in Chapter 2.4.3. Instead, the subsequent regimes (in particularly the Zuma regime), are highlighted for adopting “a position that is based more on powerful anti-immigrationist [sic] discourse than on any systematic analysis” (Mosselson 2010:646) – a clear departure from the ideals of inclusion (reviewed in Chapters 2.1-2.3).

Much of the existing literature (Landau 2011; Mbembe 2015; Solomon & Kosaka 2016) agrees with this, pointing towards incidents in which the police use specific methods to assert control over migrant groups, such as intimidation and legally arresting them on suspicion of being

illegal immigrants (this is reviewed in depth in Chapter 3) (Solomon & Kosaka 2016). Mbembe (2015) observes that, “through its new anti-immigration measures, the [South African] government is busy turning previously legal migrants into illegal ones” (Mbembe 2015). In contradiction to those principles laid out in the theory of the ‘Rainbow Nation’, Mosselson (2010) argues that certain articles of the law itself constitute evidence to contradict the all-inclusive ideologies and rhetoric. It is observed that, “this is clear in the use of Section 36 of the South African Constitution in dealing with illegal immigrants...[which is] the limitation clause within the Constitution that allows for the suspension or removal of constitutional rights in particular cases” (Mosselson 2010:644). This Article herein allows for the removal of rights of immigrants at the behest of officers and officials. Mosselson continues to provide examples of this use of the law and argues that “this placed them [migrants] in a de facto ‘right-less’ space and has resulted in multiple cases of abuse, harassment and basic deprivations of human rights” (Mosselson 2010:645). Mosselson provides further evidence by citing that multiple cases of this use of the law have been executed the same for legal and illegal immigrants by the civilian population, as well as the South African Police Service (SAPS) (Mosselson 2010:645).

Thus, pertaining to belonging in the contemporary ‘Rainbow Nation’, most often rhetoric of inclusion discusses the nature of ‘Born Frees’ – youth who were born after 1994 (Quist-Arcton 2013; Teeger 2015; Kunene 2017). Quist-Arcton states that “they’re often said to be colorblind, focusing not so much on the once-divisive issues of race and color, but on economic opportunities and development” (Quist-Arcton 2013). Kunene (2017) continues to analyse these new economic struggles of the South African Born Free by stating that “for us, 1994 carries the weight of unfulfilled democratic promises. [...] The ‘rainbow nation’ made us believe that even within our differences we are equal. But we are not.” (Kunene 2017). In agreement with this line of thinking, Sange (2017) offers a critique to Ubuntu, arguing that “Ubuntu is often used to marginalise individuals, minorities and anyone who challenges cultural practices or values.” (Shange 2017:63).

Ultimately, in reviewing the Rainbow Nation over the last few decades, what is apparent are the ways in which ideological conceptions of ‘rainbow nation’ ideology in reality were unable to adjust the globalised realities of the post-Apartheid state, in which expectation and exceptionalism grew alongside poverty levels and unemployment rates. This can be summarised by Buqa’s (2015) statement that “for some, the Rainbow Nation became an empty term in the light

of all the promises of the government whilst, as yet, they do not have water to drink or a place to sleep.” (Buqa 2015:01).

2.4.2 Economic Realities in Post-Apartheid South Africa

The economic reality of the post-apartheid state was of great concern for the new administration, whose immediate goals and challenges required a plan to rejuvenate the failing economy of the apartheid era regimes. The Reconstruction and Development Programme (RDP) was therefore designed in 1994 to achieve this as a socio-economic framework which sought to mobilise the country from five key policy programmes, that included: “the development of human resources, affirmative action and programmes to meet the basic needs of the poorest members of society, restructure the economy and democratise the state and society” (Agupusi 2011:35). Freund and Padayachee (1998) state that the RDP was a unifying entity for all sections of the population to rally behind, towards economic improvement, as “it was vague enough not to be threatening to anyone, and general enough to be interpreted by different constituencies according to their own understanding and interest” (Freund and Padayachee 1998:1175).

One major reality however, that the new South Africa had to contend with was arguably the internal conflicts within the ANC itself. According to Hirsh (2005), “the legitimacy of the ANC rested on its ability to deliver an improved life for its constituents – poorer South Africans excluded from power and privilege under apartheid” (Hirsh 2005:69). Thus, according to Agupusi (2011), internal conflicts within the ANC emerged at the development of the RDP where ideological differences highlighted the divergence of those with more socialist agendas and those favouring policies moving towards a market economy. The RDP itself, according to Wessels (1999), was a politicized solution to the economic crisis, and thus deemed it a social-democratic approach to a society in transition (Wessels 1999:240). Consequently, in 1996, in the face of continued economic hardships and reform that hampered the manpower and state capacity to implement it, the RDP was dissolved and subsequent planning and coordination of financial management was transferred to Mbeki (Hirsch 2005; Agupusi 2011). Thus it was replaced in 1996 by the Growth, Employment and Redistribution (GEAR) policy, which favoured strongly private investment and further neo-liberal macroeconomic strategies, to match those of the global economy (Andreasson 2006;

Agupusi 2011). The move to shift from RDP to GEAR for the most part is indicative of an ideological shift in strategy towards the economy from a socio-democratic approach to a neo-liberal approach, thus demonstrating a large reality the new South Africa was faced with at the very beginning. According to Wessels, “to the ANC, it meant a paradigm shift to move away from a liberation movement to a political party and a government” (Wessels 1999:241). Ultimately for the poorer sectors of society, Padayachee and Desai argue that “this combination of social policies in some areas and of a conservative macroeconomic programme in others led to a sort of de-racialisation of the apex of the class structure but left the largest part of the population exactly where it was: marginalised, poor and overwhelmingly black” (Padayachee and Desai 2013).

2.4.3 Corruption in The Rainbow Nation

One of the largest economic realities witnessed in the post-apartheid state was the widespread practice of corruption adopted in part from the apartheid administrations (Naidoo 2013), and which can be used to explain in many cases, the poor performance of some economic sectors and the weakening in credibility of state institutions (Salahuddin, Vink, Ralph and Gow 2019). In the face of great expectation and a weak economy, the practice of corruption emerges as a hindrance to institutional credibility particularly in hardships due to the way in which accountability for policies and their consequences rest in the local ‘grassroots’ level and rests upon the relationship between government and the general citizenry (Gerring and Thacker 2004:319). This accountability is significant as in most cases of corruption witnessed, there is little to no accountability taken on the part of the government, but is instead experienced through this weakening of credibility and the rise of perceived untrustworthiness in state institutions by the local population (Naidoo 2013).

These are seen in the post-apartheid state through the rise of corruption cases and the increase in whistle-blower reports, presented by projects and institutions such as ‘Transparency International’ and its South Africa chapter ‘Corruption Watch’, who frequently document the ways in which anti-corruption efforts are hampered by government institutions through such methods as deflection, and subversion of cases and reports (Naidoo 2013).

According to the ‘Transparency International’ report of 2019, South Africa’s Corruption Perceptions Index (CPI) held a score of 44, and rank of 70 (Transparency International 2019),

indicating a high perception by the general population that corruption remains high across the country. The Crime Watch reports began in 2012, at which point Transparency International ranked South Africa at 69 with a score of 43 (Transparency International 2012); indicating no significant changes were made in terms of score, but a drop in rank over the next eight years. There appear to be significant changes in the sectors reporting the highest corruption rates between 2012 and 2018 however. 2012 saw the highest levels of corruption within the municipalities comprising 22.6% of the reports, followed by 14% within the traffic police, 11% in the education sector, 5.2% in the health sector and 5.1% within the South African Police Sector (36.7% made up an unspecified category of 'other sectors') (Corruption Watch 2012). This changes in 2018 which reported the largest sector of corruption was in the education sector at 22%, followed by the police sector at 9%, municipalities at 5%, the traffic police and health sector both held 4% (Corruption Watch 2018).

The 2018 report further reports corruption within the institutional level, with the majority of reported corruption located in the provincial government, comprising 35% of reports, followed by national government at 27%, and then local government at 23%; the public sector stands at 5%. (Corruption Watch 2018). Furthermore, the statistics pertaining to the types of corruption being practiced across every sector reveal that abuse of power ranks highest at 23% of the cases, followed by procurement corruption at 21%, and then bribery at 18%, followed lastly by employment corruption at 12% (26% is comprised of an unspecified category 'other'). These figures serve to highlight that over the past decade, corruption has increased drastically in the education sectors and the police sectors and dropped within the municipalities. As it appears through the statistics, corruption remains high in vital sectors that have a direct impact on the general population, with police, municipalities and schools impacting daily lives of South Africans. Thus, with high levels of corruption within these institutions, the institutional credibility is hampered due to the lack of accountability from the perpetrators, who are in these cases members of the government institutions, such as the police force or municipality sectors.

These forms of corrupt practices are seen through other sectors and are further examples of how institutional credibility weakens. All of these can be seen as culminations towards the processes of institutional mistrust, but the corruption scandals perpetrated by former president

Zuma perhaps serve as the biggest example to a nation riddled with corruption in every institutional level that there is no limit to how far up the institutional ladder corrupt practices can go.

Jacob Zuma succeeded Thabo Mbeki as president of the Republic of South Africa in 2009, with his election being perceived as the arrival of “the savior of the rural poor, the uneducated youth and black middle-class” (Lannegren and Ito 2017:57). His popularity however suffered greatly in October 2016 when a scandal reported he was being heavily influenced by a powerful and wealthy Gupta family (Lannegren and Ito 2017; Zalk 2018; Mahajan 2019). This scandal came at the culmination of decades’ worth of corruption accusations, beginning in the late 1990s involving racketeering, money laundering, and fraud (Lannegren and Ito 2017; Gumede 2019), all of which he was never convicted of. Zuma’s corruption scandals however were a leading cause of his forced resignation from office by the ANC in 2018 as the party sought to retain support for the upcoming 2019 elections; which saw the ANC’s Cyril Ramaphosa win with the all-time smallest majority since the party’s time in office (Zalk 2018; Gumede 2019; Hiropoulos 2019).

Ultimately, the widespread corruption apparent in every sector of South Africa – from the ‘grass-root’ levels of health and school sectors, through the police forces and municipality institutions, all the way up to the seat of the president of the Republic- all serve as evidence and rationale to a weakening and drastic decline in the faith that the general South African population have in their institutions which see large abuses of power that hinder daily activities and have direct consequences on economic activities. This will be explored further in Chapter 4, however as it stands the pattern emerging from the lens of a neoliberal analysis in South Africa post 1994, is that of a national adherence to economic centric discourses for which cases of corruption often have a direct correlation to these discourses at every level of society. Consequently, the adverse effects of these practices leave the nation’s CPI unchanged since 2012, with the country thereafter experiencing large-scale corruption scandals over the next few years; all the while being subject to a poor economy which would experience large levels of emigration from the labour market. This will be analysed in the next section along the immigration challenges of the post-apartheid state in Chapter 3.

2.5 Neoliberal Impact On Concepts of the ‘Rainbow Nation’

A body of literature questions the effects of the neoliberal consequences of globalization on the post-apartheid South Africa, as well as other global developing states (Schneider 2003; Geldenhuys 2015; Siddiqui 2012 & 2018; Moagi, Wyatt, Mokobi, Loeb, Zhang, & Davhana-Maselesele 2018; Mwipikeni 2018; Ndhlovu 2019). The literature argues that neoliberal structures in South Africa inherited from the Apartheid era meant the establishment of ideological, and social changes rather than effective structural changes (Schneider 2010; Siddiqui 2012). They argue that the structures currently in place were instead inherited from the Western colonialists and continue to be managed as such in the contemporary period (Trimikliniotis, Gordon & Zondo 2008; Mwipikeni 2018). These effects were later characterized by forces of globalisation, of note being the migrant flows into South Africa that continued to increase over the decades (Trimikliniotis, Gordon & Zondo 2008).

It is argued that the failure of the government to provide the necessary resources to the rest of the population is a result of this very continuation of the structures that continue to favour the economic sectors and disregard the sectors of the population that were falling increasingly into poverty (Habib 1997; Trimikliniotis, Gordon & Zondo 2008; Geldenhuys 2015;). What is further argued is that the economic freedoms of the poor sectors of society were thereby disregarded in the post-apartheid restructuring, and remained intimately ideological in nature; restructuring in this case being primarily dependant on the mechanism of capital (Trimikliniotis, Gordon & Zondo 2008). Thus, scholars (Adam and Moodley 2003; Hiropoulos 2019) agree that the process of scapegoating affords the government the opportunity to distract public attention away from both structural, and institutional failures that were brought on by neo-liberal policies. This occurs concurrently with wider economic scandals by the ANC government through such means as corruption, which de-legitimized the faith the population held in government institutions and structures (Chipkin 2013; Lannegren, and Ito 2017). These culminate, therefore, in conditions wherein half of the population lives under the poverty line, and subsequently “weakens the *institutional character* of the state” (Chipkin 2013:225).

In each of the sections in Chapter 2, the construction of a nation from the shadow of an oppressive past have been outlined. What has been presented is the national rebuilding through ideological planning via concepts of Ubuntu and the African Renaissance, which are apparent in the promises made to the nation via the election manifesto of 1994, and which promoted the

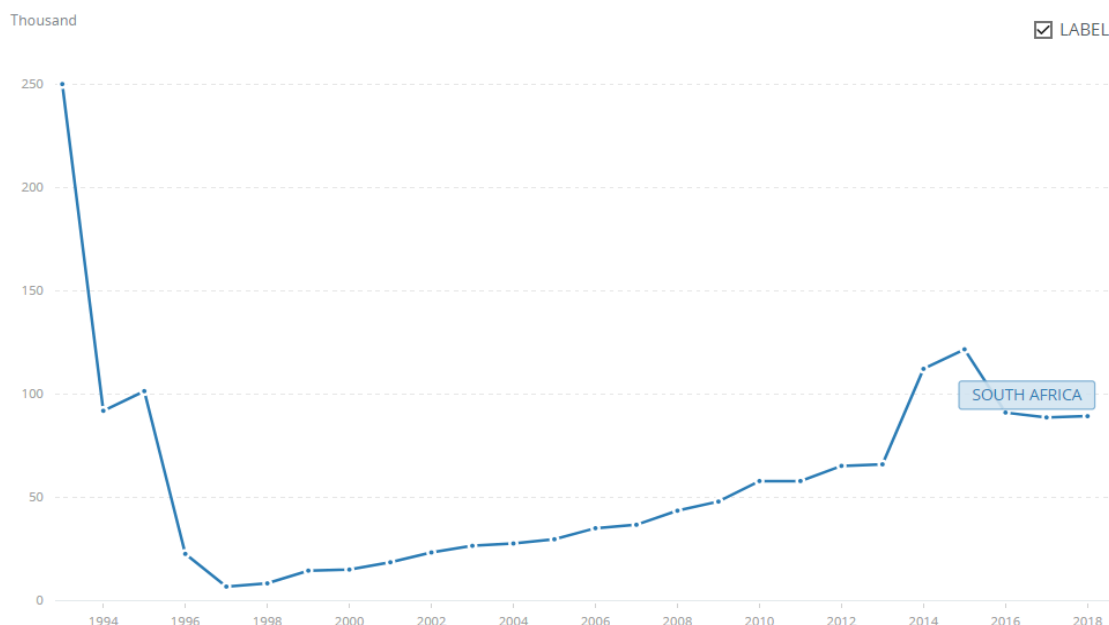
eventual construction of the 'Rainbow Nation' for all. However, as revealed through the realities of the post-Apartheid nation, and confounded by the reality of a state of expectation, these ideological dreams were replaced by neoliberal economic policies that threatened the inclusivity of the 'Rainbow Nation'. The next section explores this construction further by analysing the emergent 'challenge' of immigration which was another challenge to the 'Rainbow Nation', and from which the idealism of inclusion was confronted by the realities outlined above. This challenge will be seen to establish a political and social basis by which anti-foreigner sentiment becomes established, and from which the context of such sentiment will be further seen to extend beyond fear or dislike of immigrants; thus further critiquing the terminology of 'xenophobia'.

3 THE ‘CHALLENGE’ OF IMMIGRATION IN THE POST-APARTHEID STATE

The 1994 democratization of South Africa under the Mandela regime brought to the nation a re-entry into the global sphere, in particular, through attempts to increase cooperation with the Southern African region via the Southern African Development Community (SADC) states (Crush and Dodson 2007). One of the challenges that the new government had to contend with, as Tati (2008) explains, was the implementation of an immigration policy “that suits the transformative and developmental needs of the nation” (Tati 2008:423). Tati argues that the closure of coal mines in South Africa in the 1980s saw a significant decline in migration flow to South Africa, and by the ANC’s rise to power in 1994, “there was no proclaimed policy intention to rely on African foreign labour from the periphery” (Tati 2008:425). Thus, with no clear labour policy, Tati argues that political discourses on immigration instead focused on “the enforcement of selective measures in order to ensure migration of quality” (Tati 2008:425), whereupon there is a decline in the demand for foreign labour in order to facilitate and grow the domestic labour market (Tati 2008). Crush (1999) further argues that “there are profound differences of opinion within the government, and an intense struggle over the best means to deal with what is commonly believed to be a massive increase in clandestine migration and irregular employment” (Crush 1999:127). Crush argues that after 1994, laws regarding immigration were largely inherited from the apartheid-era legislation.

This legislation specifically refers to the 1991 Aliens Control Act (ACA) of the apartheid era, which instituted an environment of the harsh treatment of undocumented immigrants in South Africa (Hicks 1999). This continued to be in place, despite the introduction of the 1996 Bill of Rights, and the introduction of the 1997 Draft Green Paper on international Migration (Crush 1999), which were observed as the new government’s embracing of laws centred in human rights and assistance to refugees, and which consequently saw the nation experience influxes of refugees in increasing number post-implementation (Gordon 2016; Figure 1). However, Crush argues that the Green Paper instead, proposed a restructuring of migration governance, specifically pertaining to conceptions of the *legality* of immigrants; toward which the government sentiments hold that “unauthorized migrants [are] rounded up and deported *en masse*” (Crush 1999:127), and supported in doing so by the Aliens Control Act still in place.

Figure 1: Refugee population by country or territory of asylum - South Africa



Source: “Refugee population by country or territory of asylum - South Africa.” *The World Bank*, World Bank Group, 2018, < <https://data.worldbank.org/indicator/SM.POP.REFG?locations=ZA&view=chart>>.

Furthermore, in an analysis of legislative restructuring concerning immigration between 1994-1996, Crush notes how immigration environments existed to restrict immigrants for employment purposes, with 1996 policies changing to decree that “all applications for work also had to be made outside the country” (Crush 1999:132) due to increased numbers of migrants wishing to change visa requirements from travel permits to work permits whilst already inside the country. Critically however, Crush argues that “no objective system [is] in place for determining skills shortages and labour market need” (Crush 1999:132) when deciding to grant work permits to foreign workers. This, as it will be argued later, all fall under the mechanism of categorisation of immigrants into South Africa, via the application of the immigration Act.

In the case of refugee groups for example, what can be seen through research such as Crush (1999), are the ways in which refugee influxes following the 1993 UN and OAU refugee conventions saw major rises in applications for refugee status - with a figure of 38,143 in 1998, indicating a backlog in processing, and of which only 4,934 applications were granted (Crush 1999:139). These figures, Crush (1999) and Gordon (2016), argue were legally ‘unlawful’ where refugee entry was concerned under the Aliens Control Act, and reflected a flawed system which

lacked a Refugee Bill until later in 1998 (Crush 1999; Gordon 2016). Although South Africa had signed the 1951 Refugee Convention and the 1969 African Union Refugee Convention, Gordon (2016) argues that the continuation of the Aliens Control Act reflected the continuation of policies of strict surveillance of undocumented immigrants, that rendered the reviewing and decision making of Refugee statuses slow; and in some cases intentionally prohibited the issuing of permanent resident statuses to refugees. Crucially though, reviews of policy targeting refugees show the continuation of apartheid era policies by the ANC government through the late 1990s which significantly seeped through to, and impacted public opinion of refugees and immigrant groups. This will be further looked at later in this chapter.

In 2002, the Aliens Control Act was replaced by the new Immigration Act, which saw major amendments in 2005 (Crush and Dodson 2007). According to Moyo and Nshimbi (2020), the Immigration Act of 2002 is an example of the way that the state seeks to restrict, and effectively tighten entry into South Africa, specifically of African migrants. Tightened visa restrictions and increased law enforcement thus consequently became a characteristic of the Immigration Act of 2002 (Crush and Dodson 2007; Moyo and Nshimbi 2020).

Ultimately, reviews of the Immigration Act of 2002 show significant changes to the Aliens Control Act of 1991, but demonstrate a continued restrictive tone towards African migrants entering South Africa. The next sub-chapters will explore the two Acts further in-depth.

3.1 The 1991 Aliens Control Act

The Aliens Control Act of 1991 was largely brought about by the mining crisis in the late 1980s (Hicks 1999; Crush 1999; Crush and Dodson 2007; Tati 2008). As previously mentioned, the economic crisis in the country had a major impact on jobs, specifically in the mines. Crush and Dodson (2007) states that contract labour from neighbouring Southern African mines was the largest form of labour in the period. Additionally, the international abandonment of the gold standard significantly impacted mine productions, and resulted in mine closures; a trend that continued though the early post-apartheid period with 2004 recording only 180,000 mining jobs, a significant decline from 330,000 in 1994 (Crush and Dodson 2007).

Thus, through a culmination of processes stemming from a poor economy adopted from the apartheid regime, immigration can be seen as a challenge whereupon skilled African workers represented a threat to the previously restricted domestic labour force. This, it may be argued, is in line with Landau (2005) who argues that the poor economy as well as ‘economies of corruption’, act to significantly limit the states ‘power to decide’ (Landau 2005:327) on such matters of immigration policy; hence explaining the post-apartheid regime’s continued adoption of the 1991 Act. This trend was further continued following the 1995 amendments to the Act which increased monitoring and surveillance of suspected ‘irregular’ migrants, and encouraging increased police crackdown operations and deportations of these migrant groups (Tati 2008). Significant to this is that the crackdowns were led “in areas with high concentration of black foreigners” (Tati 2008:430). Thus, these factors can be seen to have effectively established a category of immigrant, perceived under the Aliens Control Act, and reinforced by the state, to be ‘irregular’ and subject to increased surveillance and deportation. This category was generally witnessed on a social level whereupon immigrants were reported to authorities by employers seeking to avoid paying wages, and members of communities seeking employment opportunities held by immigrants (Landau 2005; Tati 2008); thus creating a process of anti-immigrant activities brought about by poor economic conditions, supported by the law, reinforced by the state, and practiced by the general population.

The Aliens Control Act was in place for twelve years, with an amendment in 1995, and was ultimately replaced in 2002 with the Immigration Act.

3.2 The 2002 Immigration Act and its 2005 Amendments

Different from the Aliens Control Act of 1991, the Immigration Act of 2002 (and its subsequent amendments in 2004, 2005, and 2011) pointed towards the state’s perception of migrants as an economic benefit, and resource rather than a hindrance to the domestic labour force (Crush 2007; Chikowore and Willemse 2017). Despite this, the Immigration Act of 2002 appears to continue, in principle, the Aliens Control Act by “placing additional restrictions on the movements of non-nationals into South Africa” (Landau, Ramjathan-Keogh, and Singh 2005:13). These restrictions continue despite, and through, the later amendments to the Act, and enforce continued adherence

to principles of the Aliens Control Act which include increased security and border control, towards the purposes of restricting the flow of migrants; African migrants in particular (Landau, Ramjathan-Keogh and Singh 2005; Hiropoulos 2019).

Moyo and Nshimbi (2020) record the way in which African migrants in particular have been portrayed and have had restricted access imposed onto them into South Africa. Their research reveals that despite the flow of immigrants into South Africa from all over the world, African migrants in particular are statistically, and selectively excluded by South African officials when deciding and issuing temporary residence permits (TRPs) (Moyo and Nshimbi 2020). Moyo and Nshimbi observe:

“Despite these realities, not all immigrants to South Africa are portrayed as a problem in that country. Rather, it is the immigrants originating from within Africa who are negatively portrayed/ viewed and regarded as undesirable people... They are viewed in this way because South Africa is considered exceptional, more developed and “civilized” than other African countries... Migrants from other African countries are, therefore, seen as “uncivilized” people who cannot speak properly and are in South Africa to reap the gains of its democracy, prosperity, state and patrimony.” (Moyo and Nshimbi 2020:135).

Thus, with regards to the perceived African migrant as described by Moyo and Nshimbi (2020), what is seen from the later amendments to the Immigration Act of 2002 are policies to tighten entry into South Africa and it proceeds to criminalise undocumented migrants without legal protection, merely on suspicion of being illegal migrants (Landau, Ramjathan-Keogh, and Singh 2005; Mosselson 2010; Solomon & Kosaka 2016). Therefore, the Immigration Act of 2002 effectively grants authorities the power to conduct raids “on buildings and areas known to have migrant concentrations” (Vigneswaran, Araia, Hoag and Tshabalala 2010:479) based on suspicions and reports that there are ‘illegal foreigners’ in the area.

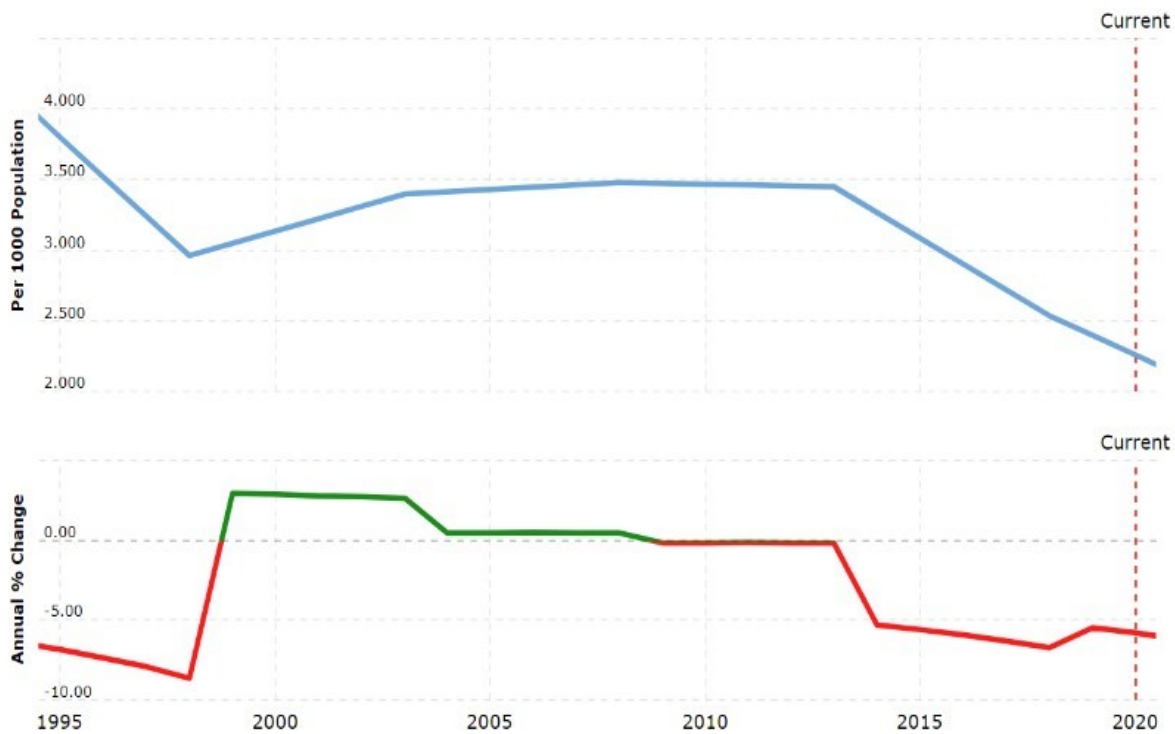
Furthermore, Mosselson makes a case for the implementation of the Immigration Act of 2002 being responsible for the creation of an “overtly aggressive approach to dealing with illegal immigrants” (Mosselson 2010:646). The Immigration Act, Moselson argues, creates a public narrative from which the state must protect against those threats to the state and to civilians by illegal immigrants; and further argues that “under Section 41 of the Act, police are granted the powers to stop and search any person suspected of being an illegal immigrant without a warrant”

(Mosselson 2010:646). Mosselson argues that this has implications on immigrants of all varieties by placing them within a space of fears of deportation at any time (Mosselson 2010:647). To further this argument even more, Mosselson argues that “cases of police officials disregarding documentation and destroying asylum-seeker papers or refugee identification documents are frequent, and South African citizens too have been arrested and deported under suspicion of being illegal immigrants. This has created a situation in which distinctions between legal and illegal migration are non-existent, and anybody suspected of being foreign can be turned into an illegal immigrant” (Mosselson 2010:647).

Crucial to the implementation of the Immigration Act of 2002 and its later amendments are its attempts to remedy the growing ‘brain drain’ that South Africa was experiencing (Chikowore and Willemse 2017). The ‘brain drain’ ensured that skilled workers emigrated outside of South Africa in search of better work opportunities, subsequently affecting the South African economy by draining the nation of South African labourers and thereby creating a skills scarcity (Dodson 2002; Shava and Maramura 2016). The effects of this brain drain are recorded as being a lack of technical skills in the country, in addition to the lack of employment of less qualified individuals in many sectors, therefore negatively impacting the economy and creating higher poverty rates (Shava and Maramura 2016).

Furthermore, Ellis and Segatti (2011) outline how the policy debates leading up to the 2011 Immigration Amendment Act were greatly influenced by stakeholders from the business and human rights sectors which opted for protectionist revisions to the Act to promote the labour market (Ellis and Segatti 2011:77). Thus, crucial to remedying the growing brain drain was required an increase in economic centric discourse and explanations towards immigration control that prioritised skilled migrants (Crush and Dodson 2007:441). As a result of this, the ‘Accelerated and Shared Growth Initiative for South Africa’ (ASGISA) policy of 2006, which attempted to coordinate existing policies by attempting to significantly decrease unemployment and poverty; was replaced as a priority by the need to increase the number of skilled labourers (Ellis and Segatti 2011). This is represented in Figure 2, which shows how the Net Migration rate (difference between the number of immigrants and number of emigrants) in South Africa from 1995 to 2020, declines considerably after 2010; with a figure of -5.8% in 2020 representing a change of higher emigration than immigration from the 2019 figure (“South Africa Net Migration” 2020).

Figure 2: South Africa Net Migration Rate 1995-2020



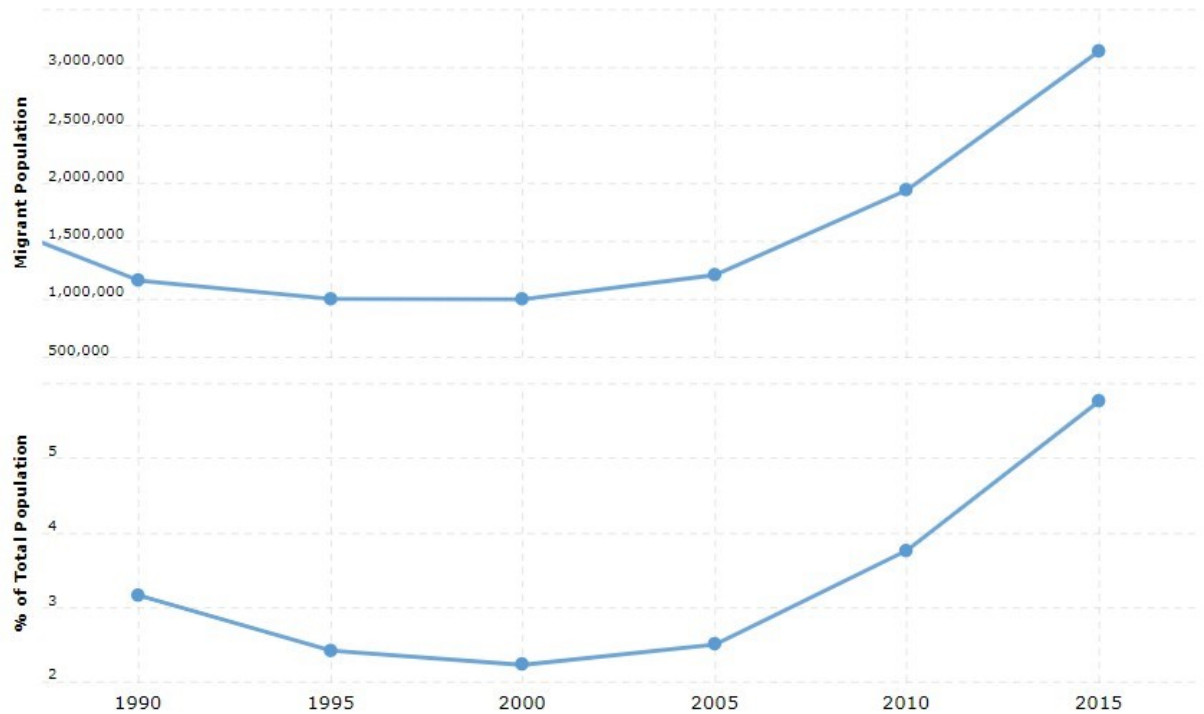
Source: “South Africa Net Migration Rate 1950-2020.” *MacroTrends*, MacroTrends LLC, 2020b. <
<https://www.macrotrends.net/countries/ZAF/south-africa/net-migration>>. Accessed 28 March 2020.

Ellis and Segatti argue that “in some respects, South Africa’s policy of recruiting skilled labor from abroad sits uneasily with a foreign policy that places high importance on stabilizing countries throughout Southern and Central Africa and encouraging their economic development” (Ellis and Segatti 2011:75). This argument refers to the way in which pressures on government from stakeholder groups within the country make it difficult to adhere to a single immigration policy, and as such policies tend to overlap; for example, a foreign policy that positions South Africa as a leading figure of the African Renaissance in the face of advancing and developing its own national interests (Ellis and Segatti 2011). Thus the argument holds that in attracting skilled foreign workers to South Africa, it limits the level of development in those countries, specifically Southern African countries, to whom the ideology of an African Renaissance seeks to attract (Ellis and Segatti 2011). This can be seen as a way of explaining the statistics that show higher levels of permit rejections for African migrants and asylum seekers, in conjunction with increased overall levels of SADC migrants accepted into South Africa, as well as raising levels of deportations

(Vigneswaran, Araia, Hoag and Tshabalala 2010; Segatti 2011; Chikowore and Willemse 2017). This, along with tightening legislature and border restrictions, are evident in the statistics such as those dealing with asylum applications. For example, Segatti records that “South Africa has the largest backlog of pending asylum applications in the world. In 2009-10 alone, 364,638 new applications for asylum were issued, of which 9,000 were approved and 131,961 were rejected” (Segatti 2011:48). Thus, the picture painted of immigration appears to show a criteria of legal immigration into South Africa based upon the precedence of skilled labour, further highlighting the impact of the ‘brain drain’ on influencing the Immigration Act of 2002 and its subsequent amendments.

Figure 3 below shows South African immigration statistics from 1990 to 2015 (these were the latest figures available on MacroTrends, taken from the World Bank database), and Figure 4 shows these as statistics of the levels of immigration into South Africa – these statistics are legal immigrants and include refugees. As it can be seen from these statistics, despite the levels of immigration into South Africa growing annually since 1995, the emigration levels of Figure 4 remain negative, further serving as evidence to support the ‘brain drain’, and continuing to point to South Africa’s reliance on skilled immigration inflows in the face of economic perils mentioned in the previous sub-chapter. Importantly however, as of 2015 statistics on MacroTrends, the immigrant numbers in South Africa remains under 10% of the total population, sitting at just 5.77%, a rise from 3.76% in 2010. These further indicate that despite the rising immigration levels, immigrants represent only 6% of the total population as either skilled labour or asylum seekers (MacroTrends 2020).

Figure 3: South Africa Immigration Statistics 1990-2015



Source: "South Africa Immigration Statistics 1960-2020." *MacroTrends*, MacroTrends LLC, 2020a.
www.macrotrends.net/countries/ZAF/south-africa/immigration-statistics. Accessed 28 March 2020.

**Figure 4: South Africa
Immigration Statistics –**

Year	Migrant Population	% of Total Population
2015	3,142,511.00	5.77
2010	1,943,099.00	3.76
2005	1,210,936.00	2.50
2000	1,001,825.00	2.23
1995	1,003,807.00	2.42
1990	1,163,883.00	3.16
1985	1,808,198.00	3.16
1980	983,303.00	3.16
1975	962,371.00	3.16
1970	961,496.00	3.16
1965	945,162.00	3.16
1960	927,656.00	3.16

Source: "South Africa Immigration Statistics 1960-2020." *MacroTrends*, MacroTrends LLC, 2020a.
www.macrotrends.net/countries/ZAF/south-africa/immigration-statistics. Accessed 28 March 2020.

The vast majority of these statistics occur during the presidency of Jacob Zuma from 2009 to 2018; and unsurprisingly so given his popularity for his dissatisfaction towards policies implemented under the Mbeki administration (Coplan 2009). Zuma's election campaign to expel African foreigners was widely received by the South African population who elected him into office in 2009 under the perception that he would expel Zimbabwean nationals from the country (Coplan 2009; Klotz 2013). This was further reflected in the implementation of the White Paper on International Migration and the Border Management Authority Bill in 2017, prepared under the Zuma's presidency to further complement the Immigration Act of 2002, which further increased hostility towards immigration and expanded movements to criminalise and restrict migration into South Africa (Eisenberg 2019; Hiropoulos 2019). The next section will discuss these points further by reviewing the impact of globalization on social perceptions of immigration.

3.3 Globalization, Immigration and Inequality in the 'Rainbow Nation'

On the note of globalization, many scholars (Trimikliniotis, Gordon & Zondo 2008; Crush and Ramachandran 2010; Siddiqui 2012 & 2018; Hiropoulos 2019) agree that the direct cause of migration into south Africa is indeed due to economic reasons, mainly poor economic situations in their countries of origin; neighbouring African countries in particular. Historically, the migrations into South Africa were recorded as being for mining purposes, however higher wages and better working conditions have become a primary motivation for migrations into post-apartheid South Africa (Adam and Moodley 1993; Hiropoulos 2019).

As inequality roams rampant in the post-apartheid state, it can be seen how the apartheid system becomes a historical basis for explanations about the current economic situation in South Africa. However, cases of corruption, migration, and neoliberal economic liberalisations become central in the review of the contemporary inequalities. This is further argued with regards to the rise of crime in South Africa in relation to the rampant poverty and inequality levels. Cheteni, Mah, and Yohane (2018) argue centrally that "youth in poor areas have been the most affected by hardships—as a result, their anger is revealed by an increase in crime... [and] that neglecting of

poverty of unemployed youth has contributed to a rise in crime” (Cheteni, Mah and Yohane 2018:02). Additionally, Breetzke (2018) argues that crime “is spatially concentrated within neighborhoods stratified by race” (Breetzke 2018:21), specifically amongst Black African and Mixed neighbourhoods. Thus, ultimately Breetzke’s findings indicate that crime in South Africa functions according to specific urban geographical factors, which serves as a further indication as to the continued relation between racial inequalities and crime in the Post-Apartheid nation (Breetzke 2018). Similarly, Cheteni, Mah and Yohane find evidence that links drug-related crime with poverty and inequality, as well as opportunities to commit crimes; wherein there are few institutional and structural measures to hamper these opportunities (Cheteni, Mah and Yohane 2018:13). This serves to further reveal the relation between increasing crime rates, inequality, poverty, and the structural shortcomings to dealing with these factors.

Furthermore, Glaser (2008), argues that “there is little doubt that globalisation has led to an internationalisation of crime syndicates but there is scant evidence to suggest that foreigners play an unusually big role in day-to-day crime” (Glaser 2008:337). Additionally, Glaser argues that research indicates crime in South Africa is overwhelmingly committed by locals rather than immigrants and that the rapid integration of South Africa into the global economy created new opportunities for criminal syndicates (Glaser 2008:339). Herwitz (2003) even argues that “South Africa is a new nation on paper where materially things are in so many ways worse than before” (Herwitz 2003:xxvii).

3.4 Immigration in Social Perception

Immigration has been reviewed in South Africa from angles that both see it as an economic benefit as well as an unwelcome phenomenon from a legal and somewhat political perspective. On a social level this continues, however with increasingly negative perceptions towards immigration the of foreign nationals creating somewhat hostile environments for them in certain areas, particularly townships (Gordon 2016; Ndlovu 2017; Pineteh 2017; Steinberg 2018).

According to Hicks (1999), four factors are responsible for the creation of a hostile environment towards immigrants in the mid-1990s: “a culture of violence cultivated by the apartheid regime; current domestic problems which test South Africa’s resources, the public’s unrealistic expectations of post-apartheid South Africa...; and a misguided and Draconian

immigration policy centred around the Aliens Control Act (ACA)” (Hicks 1999:394). These factors have been reviewed in the previous sections of this chapter. The consequences of them however are the creation of negative perceptions and the establishment of hostile environments which often culminate in violent incidents against migrants (Ndlovu 2017; Cheteni, Mah and Yohane 2018). These perceptions range from perceptions about crime, legality of residence, and economic hindrances, and thus extend beyond simple fear or hostility towards migrants as the term ‘xenophobia’ would imply.

A common perception held by many South Africans regarding immigrants is that they are responsible for the high levels of crime that have plagued the ‘Rainbow Nation’ since its conception in 1994 (Landau, Ramajathan-Keogh & Singh 2005; Glaser 2008; Coplan 2009; Vromans, Schweitzer, Knoetze and Kagee 2011; Pineteh 2017; Cheteni, Mah and Yohane 2018). Cheteni, Mah and Yohane (2018) research the relation between drug-related crimes and poverty in South Africa in which they find that a relationship exists between high crime rates in relation to high inequality. As discussed in the previous sections, the economic situation in the country since the days of Apartheid left a large majority of the population facing conditions of poverty and high inequality. In the face of perceived rising levels of illegal immigration, into the country, these high levels of crime were attributed to correlate with these immigration levels, and thus immigrant populations (specifically African immigrants, were perceived to be the perpetrators of crime in South Africa) (Glaser 2008; Pineteh 2017; Cheteni, Mah and Yohane 2018).

Despite these perceptions, Cheteni, Mah and Yohane found in their research that “ethnicity and culture are unlikely to be the cause of crime, but, instead socio-economic resources, and neighbourhood segregation... were major contributors” (Cheteni, Mah and Yohane 2018:06). For example, research conducted in 2017 found an increase in unemployment levels of 27%, most frequently amongst youth who were also found to be the major offenders of drug-related crimes; which in turn was found to have a direct link to rising gang violence across the country as gangs competed for territory (Cheteni, Mah and Yohane 2018:12). Furthermore, weak law enforcement throughout South Africa was further seen to be an influence to the rise in drug-related crime wherein “corrupt contacts among law enforcement agencies have contributed to the creation of organised crime groups” (Cheteni, Mah and Yohane 2018:13).

However, despite the evidence to support links between low economic benefit and crime, foreign nationals are continually and specifically blamed for contributions to drug-related crimes despite only representing approximately 7.2% of the population (Brown 2020). Popular perceptions continue to view both legal and illegal immigration as a cause of crime despite the lack of evidence to support that foreigners play a larger role in criminal activities (Glaser 2008; Pineteh 2017; Cheteni, Mah and Yohane 2018). The rising crime rates and perceptions of immigrant organised crime consequently leads to many South Africans feeling vulnerable particularly in the face of violent crime and aggravated robbery (Glaser 2008). This is particularly true as South Africa ranks within the top two or three recorded national murder rates in the world with violent crime in particular ranking consistently higher in proportion of overall reported crime in South Africa (Glaser 2008). Glaser (2008) argues this phenomenon as being due to the fact that crime “was already rampant in the townships during the apartheid years and it is widely acknowledged that the brutality of apartheid helped to spawn a violent culture” (Glaser 2008:337). This violent culture from this perspective, therefore, would be argued to be a continued consequence of a history of oppression. Despite this, the popular perception of crime continues to see immigrants as the perpetrators despite the evidence to the contrary.

Coplan (2009) argues that: “for the most part African immigrants brought entrepreneurship, energetic optimism, and a will to work at jobs no South Africans wanted. Insofar as these immigrants succeeded, they were seen as doing so through illegitimate enterprise or taking employment away from Black South Africans” (Coplan 2009:375). This is a popular perception in that the majority of immigrants that are able to make a living and live above poverty levels are seen to have done so through illegal means. This perception consequently sees a rise in ‘exclusionary public sentiment’ for which police and government institutions are seen to extort and illicit bribes from African immigrants, possessing the power and means to deport them if they do not participate (Coplan 2009:375; Cheteni, Mah and Yohane 2018). Furthermore, the perceived successes of immigrants appear to extend to address the fact that immigrants are able to compete with locals for employment, resources, housing, institutional services, as well as, in many cases, “the favors of local women... [for which] foreign arrivals are “showing up” local men by earning more, working harder and taking any job they can get, diminishing them in the eyes of local women” (Coplan 2009:379). This competition therefore can be seen to stretch to every aspect of daily life, and towards which expectations were high that local South Africans would experience

these in abundance when the ‘Rainbow Nation’ was formed in 1994 along with the promises of the ANC who still continue to govern. In the face of these perceived successes through illegal activities, police frequently conduct raids in areas visited frequently by African migrants, and in which further bribery and extortion persist (Coplan 2009; Vigneswaran, Araia, Hoag & Tshabalala 2010; Solomon and Kosaka 2013; Steinberg 2018; Hiropoulos 2019).

The perception of large amounts of illegal immigrants who conduct organised crime and compete to take away that which was owed to local South Africans, is one that becomes apparent and is dominant, in the ways outlined above. For the most part, these subsequently result in violent action against African immigrants, creating violent prejudice against them (Vromans, Schweitzer, Knoetze and Kagee 2011) and lead police to frequently “stop people in public spaces and quiz them about their ethnicity, their nationality, [and] their origins” (Steinberg 2018:03). One way in which these perceptions and prejudices emerge is from the statements and comments made by government officials with regards to immigrants, often attempting to shift attention away from government shortcomings (Landau Ramajathan-Keogh & Singh 2005; Pineteh 2017). Specific examples of this are statements made by the Minister of Home Affairs in 1997, Mangosuthu Buthelezi and Minister of Defence in 1997 Joe Modise; who reiterated South African ‘siege mentality’ by directing frustrations towards illegal immigrants and arguing that they were a severe strain on socio-economic resources, were perpetrators of violent crimes, and taking South African jobs (Landau Ramajathan-Keogh & Singh 2005; Gibson 2011:191; Pineteh 2017).

Additionally, in 2016, Member of Executive Council (MEC) for community safety, Vusi Shongewe remarked that illegal immigrants be expelled from neighbourhoods through police action as they were responsible for social crisis in the community (Pineteh 2017). Such comments from the political level have given rise to popular derogatory terms such as ‘*Makwerekwere*’ to demonstrate rejections of African migrants. Furthermore, these perceptions and attitudes appear to persist through institutional levels as well. According to research conducted by Vigneswaran, Araia, Hoag and Tshabalala (2010), clerks and staff working at Visa permits offices often perceive immigrants of specific (often African) origin as ‘abusing the system’ due to their permit changes whilst in the country; and thus hold strong opinions that tighter immigration laws need to be placed. Thus, the pattern that emerges from all sectors of society are attitudes and perceptions that see African migrants as illegal for their continued successes and perceived contribution to crime,

despite the lack of evidence to support such claims. The next chapter will explore the consequences of these perceptions and the current immigration policy, as culminating in violent anti-foreigner movements.

4 ‘XENOPHOBIC’ REALITIES: BELONGING AND EXCLUSION IN THE POST-APARTHEID STATE

In the face of the realities mentioned in the previous chapter that serve as arguments to support the shortcomings of the use of the term ‘xenophobia’ in describing incidents of violent action against immigrants and foreigners; this chapter will provide an analytical approach to supporting these shortcomings. This will be comprised of an initial in-depth analysis of three waves of widespread violence in 2008, 2015, and 2019. This will be followed by an analysis of conceptions of belonging in the so called ‘Rainbow Nation’, based on the processes of exclusion presented in the previous chapter, and in relation to the three waves of violence analysed in Chapter 4.1. Following this, an in depth-analysis of the three waves of violence in which the attacks will be analysed in relation to each other and in relation to the notions of belonging that present themselves as a consequence. Lastly, this chapter will end with a discussion and critique of the use of ‘xenophobia’ as a terminology by analysing the context, evidence and the waves of violence presented throughout this research.

4.1 Three Waves of Violence

This section will review the three waves of violence that occurred in 2008, 2015 and 2019. They will be reviewed individually through a review of the causes, and the consequences. A full analyses of the attacks collectively will be conducted in Chapter 4.3.

4.1.1 The 2008 Wave

Between January and April in 2008, numerous murders and crimes were committed in response to community meetings which called for the expulsion of foreigners from the country (Beetar 2019). Important to the attacks is that they did not occur spontaneously, but rather as a growing process of attitudes over the years, and growing further since 2006, as revealed through surveys carried out by the South African Migration Project (SAMP) (Crush 01-0 2008; Vahed and Desai 2013). However, on May 11th 2008, violent attacks against foreigners ensued in Alexandra township, an

informal settlement in Johannesburg in which 60% of the residents were unemployed (Vahed and Desai 2013). These then spread quickly to other settlements across the country (Matunhu 2011; Segatti 2011; Gordon 2016). During the attacks “the mobs that gathered attacked anyone who vaguely resembled a ‘foreigner’, employing ‘tests’ of indigeneity” (Beetar 2019:126), and thereafter driving them out of the areas. On May 21st 2008, president Mbeki ordered the South African National Defence Force to assist in ending the situation, in what was later described as a slow response by the government (Beetar 2019). When the violent attacks were finally over by the end of the month, 62 people were killed, 670 wounded, and 150,000 were displaced or had fled South Africa (Desai 2010; Matunhu 2011; Segatti 2011; Klotz 2013; Gordon 2016; Hiropoulos 2019). The aftermath of the attacks showed that most of the victims were non-nationals, whilst some were South African citizens, and overall the situation became a security crisis turned humanitarian emergency as thousands were left without shelter, food, protection and clothing (Segatti 2011:10). By all appearances and later arguments, the attacks were described as being chauvinistic and ‘xenophobic’ movements, reminiscent as a hallmark of the apartheid mentality (Gibson 2011:192).

The attacks were said to have been instigated by numerous organised events that include: The March 2008 meetings of the South African National Civics Organization and the Alexandra Community Policing Forum; as well as the 10th of May Annual General Meeting of the Inkatha Freedom Party in which a resolution to drive out foreigners was tabled and passed in which immigrants were blamed for crimes, murders and rape in the township over the years (Mosselson 2010:649). However, where the underlying causes are concerned, the government is cited as being responsible due to its failure to manage the society adequately (Matunhu 2011:100). In addition to this, the attacks are seen as a retaliation to Mbeki’s administration with Klotz arguing that “the rivalry between Thabo Mbeki and Jacob Zuma, which culminated in September 2008, suggests deeper class divisions with the ANC’s constituency than these polls imply. The outbreak of xenophobic violence in May 2008 is only one manifestation of resurgent populism, a response to frustrations about the inability of the ANC under Mbeki to resolve a plethora of problems” (Klotz 2013:225).

The ANC on the other hand blame racist elements of society for orchestrating attacks in order to destabilize the election that was held the following year (Crush et.al. 2008). Ultimately

however, it is argued that the attacks were “triggered by patterns of local governance: gangsters, leadership competition, and poor policing” (Segatti 2011), and represent wider societal problems of seeing foreigners as ‘other’. Gibson (2011) suggests that in the face of growing social, economic and political frustrations, and “unable to attack the sources of oppression (such as the government and the employers) poor ‘foreigners’ simply ‘became victims of this struggle because they were close at hand” (Gibson 2011:190). Furthermore, these frustrations are reflected in the research conducted after the attacks which show that sentiments were shared amongst the perpetrators of the attacks who blamed immigrants for taking jobs and local women away from South Africans (Crush et.al. 2008; Pillay et.al. 2008; Klotz 2013). In addition to this, “based on purported campaign promises, some of the perpetrators apparently believed that (future President) Jacob Zuma would send back the Zimbabweans; his relative silence in the wake of the 2008 attacks did little to dispel such an impression” (Klotz 2013:211). Thus, what is becomes apparent are that there exist numerous contentious sources for the violence which stem from the social, economic and political influences and conflicts that exist within South Africa.

The aftermath of the attacks saw widespread destruction of property belonging to foreigners, such as stores, as well as a large displacement of people throughout the country which added an additional burden on the Department of Social Welfare for the resources expended to quell disturbances, and in the establishment of the Distress Grant to assist displaced migrants (Matunhu 2011). Furthermore, despite the fact that many (but not all) of the targets were immigrants to South Africa, most of them were ineligible for international assistance because they did not have official refugee status (Klotz 2013). In addition to this, the camps set up to house and support those displaced by the violence were setup near the townships in which the violence occurred, and these were fenced and overlaid with barbed wire, and under guard (Vahed and Desai 2013:150).

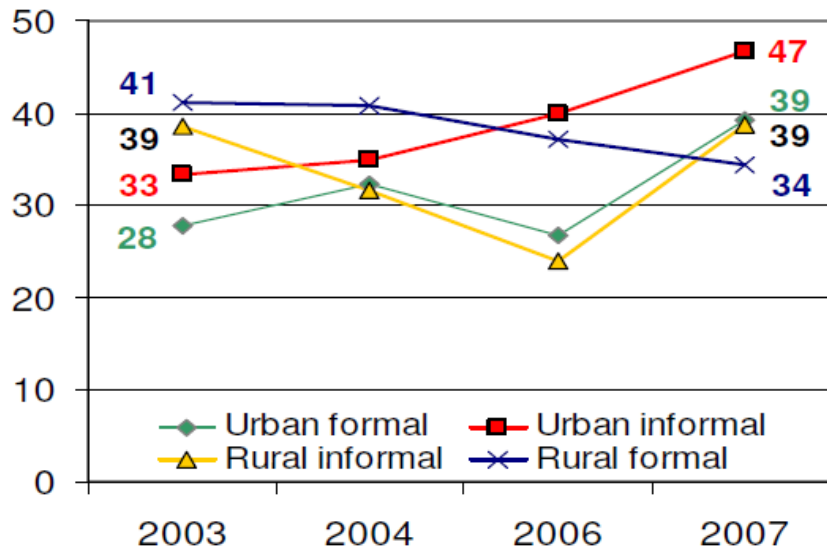
Moreover, since the attacks in May 2008, the government has engaged in 49 community dialogues encouraging social cohesion in order to combat what it termed ‘xenophobia’, with a subsequent counter-xenophobia unit created and communication strategies to encourage cohesion promoted through the National Development Commission; in a pledge to fight xenophobia in the country (Gordon 2015:494-499). Despite these efforts, numerous skirmishes occurred against foreign nationals which (notably in 2009 and 2013) further showed that these methods were not

very effective; due to, as Gibson (2011) argues, the link between the violence and the neoliberal economic policies that failed to deliver services to the poor.

In the face of this, Klotz argues that “continuing outbreaks of xenophobic violence, although not on a scale with the mayhem of May 2008, confirm that reliance by the African National Congress (ANC) on economic nationalism for legitimacy provides little reason to expect any major change in policies or attitudes” (Klotz 2013:215). The policy discussions that emerged however were forums centred on lessons to be learned, and had little institutional or programmatic impacts except to discuss changing the migration policy (Segatti 2011). This was thereafter followed by a lacklustre effort to punish the perpetrators wherein many people involved in the attacks were released under pressure from community and political leaders; and where 597 court cases were opened, of which 16% were given guilty verdicts for theft and assault and the option to pay a fine to avoid jail time – creating what Gordon terms an ‘atmosphere of impunity’ (Gordon 2015 & 2019).

This ‘atmosphere of impunity’ can be seen to extend further as represented by community responses to acceptance of migrants, whereupon “micro-level studies show that community responses varied dramatically, largely depending on the extent to which local councillors and other leaders were caught up in political rivalries or corruption” (Klotz 2013:211). These practices were more likely to be experienced in areas experiencing higher poverty levels (Salahuddin, Vink, Ralph and Gow 2019), and wherein as Figure 5 shows, people living in rural areas are least likely to welcome foreigners. Thus, significant to the attacks is the way in which the realities of inclusivity in the Rainbow Nation were tested, and whereupon as Beetar (2019) states, “2008 may be viewed as the year in which the attacks forced South Africans to confront this denied reality” (Beetar 2019:126).

Figure 5: Percent of South Africans saying they welcome no foreigners to the country, 2003-2007



Source: Pillay, S.; Barolsky, V.; Naidoo, V.; Mohlakoana, N.; and Hadland, A. "Citizenship, Violence, and Xenophobia in South Africa: perceptions from South African communities." *Human Sciences Research Council*, June 2008, pp:04-59. <<http://hdl.handle.net/20.500.11910/5374>>.

4.1.2 The 2015 Wave

On April 14th 2015, a second wave of violence directed towards African migrants erupted (Amusan and Mchunu 2018). The violence started in Durban, sparked by clashes between South African citizens and immigrants in the area, as well as police; and spread to suburbs in Johannesburg, and to Cala in the Eastern Cape (Wehmhoerner 2015). In a similar pattern to the 2008 attacks, the events that led up to the eruption of violence started much sooner, through smaller scale violence between 2012-2014, that saw violent incidents, hundreds of stores looted, and thousands displaced (Dauda, Sakariyau and Ameen 2018:31); and later in January 2015 through April 2015 where foreign-owned shops were attacked, and rumours of foreigners committing crimes in the area were being spread (Van Rensburg, Mthonti, and Erskog 2015; Human Rights Watch 2016; Nene and Naidoo 2018). Following this, on the 21st March 2015 the violence escalated when Zulu King Goodwill Zwethilini spoke in a media address in which he called for foreign nationals to leave the country (Mamabolo 2015; Wehmhoerner 2015; Human Rights Watch 2016; Pineteh 2017). The events were short lived but escalated again on the 21st of October 2015 in Grahamstown in the

Eastern Cape, following a rumour circulated that Muslim foreigners were behind recent murders in the township (Allison 2015; O'Halloran 2015). All non-national stores were targeted and when the violence was put to an end by the armed forces, between 2015-2016 they left 70 dead, over 100 assaulted, 600 foreign-run shops looted, and 10,000 people displaced with few arrests or criminal persecutions (Hiropoulos 2019).

In the aftermath of the attacks, the then president Jacob Zuma decried the events and vowed action, but made no mention about King Goodwill Zwethilini's instigation of the violence; and no concrete measures were thereafter implemented (Wehmhoerner 2015). Instead, however, police launched a series of raids under the codenamed "Operation Fiela", through the coordination of the military and police forces in which it arrested many allegedly "illegal immigrants" and "foreigners" accused to have been initiating crimes across the country (O'Halloran 2015b; Pineteh 2017). The South African Government website writes the following about Operation Fiela:

"Operation Fiela- Reclaim is a multidisciplinary interdepartmental operation aimed at eliminating criminality and general lawlessness from our communities. As the word "fiela" means to sweep clean, we are ridding communities of crime and criminals so that the people of South Africa can be and feel safe. The ultimate objective of the operation is to create a safe and secure environment for all in South Africa... The effectiveness of Operation Fiela/Reclaim, which Government implemented in order to re-assert the authority of the State and to address lawlessness in identified areas, must once again be emphasised. It continues to be a success story of note" (gov.za 2020).

The government describes Operation Fiela as a means of eliminating criminality through law enforcement sweeps across the country, and under the directive to "re-assert the authority of the State". However, scholars such as Pineteh (2017) argue that "the operation showed that "anti-foreign [African] sentiments are not only an organic or spontaneous response to street level tensions but have also been shaped and legitimized by politicians and bureaucrats"" (Pineteh 2017:07). This argument is further reinforced by the Human Rights Watch World Report published in 2016, which notes that:

"Although the police arrested at least 22 people following the violence, authorities neither thoroughly investigated nor successfully prosecuted those involved. No one was held to

account for the attacks. Authorities also failed to prosecute those who had incited the violence against foreign nationals” (Human Rights Watch 2016).

Furthermore, despite government claims that their initiatives were targeting criminals, questions have risen as to the effectiveness of government efforts counteract and reduce anti-foreigner sentiments and movements (Gordon 2016), particularly given reports and witness testimonies by members of the Unemployed People’s Movement (UPM) that were present during the violence in October 2015. Prior to the October 21st violence, the UPM held a community meeting in which to warn police of the potential escalation of violence in the midst of rumours and anxieties about murders in the township; to which police arrived an hour and a half late, and the UPMs warnings went unheeded (O’Halloran 2015a; RDM News Wire 2015). Consequently, on October 21st the violence escalated and reports from witnesses in Grahamstown describe police permitting perpetrators of the violence into the township, and no arrests were made (O’Halloran 2015a; RDM News Wire 2015). Furthermore, in the aftermath of the attacks, and during the engagement of Operation Fiela, UPM witnesses again in Grahamstown observed “police behaviours that ranged from indifference, to laughing at people whose shops were being looted, to facilitation of and participation in the looting” (O’Halloran 2015b); thus further highlighting the institutional behaviours and attitudes that promote anti-foreigner sentiment despite government claims to the contrary. Additionally, despite subsequent rhetoric and forums, mob violence continued to occur in particular areas, as did individual attacks on foreigners (Hiropoulos 2019:10). These eventually erupted again in 2019 through large-scale violent attacks.

4.1.3 The 2019 Wave

September 2019 again saw a wave of violent attacks against foreigners that left many killed and many more displaced. The events occurred in September of 2019, but were a culmination of events beginning in the previous year. In August of 2018, members of a new anti-foreigner political party, called the African Basic Movement, marched the streets of Johannesburg seeking to expel all non-South Africans from the country (Powell and Cassim 2018) which subsequently sparked minor incidents throughout the rest of the year and into the following year. Between January and March 2019, foreign truck drivers were attacked, and minor attacks occurred throughout the country

thereafter (Al Jazeera 2019; Human Rights Watch 2019; Xenowatch 2019). However, in late August, anti-foreigner attacks increased, such as the case in which a mob in Durban attacked a group of largely undocumented Malawian citizens in which at least two people were killed (Powell 2019). These escalated further on September 1st 2019, in most parts of South Africa, which saw large groups of people armed with machetes and sticks march and call for all foreigners to leave the country, whilst chanting the derogatory term *Makwerekwere* at them (Burke 2019; Human Rights Watch 2019). The violence had been building for months as anti-immigrant rhetoric and rumours had been circulating on social media against foreign owned stores (Burke 2019; Dahir 2019). According to Human Rights Watch (2019), these escalated into larger looting of every foreign owned stores, and spread to the surrounding areas of Germiston, Thokoza, Katlehong, Alberton, Jeppestown, Hillbrow, Alexandra, and Malvern. In most locations the violence ended within a day, and in Alexandra township for example, the location from which the 2008 violence emerged, police fired rubber bullets and arrested 189 people the day after violence erupted (Al Jazeera 2019; Burke 2019).

Figure 6 shows the statistics on ‘xenophobic’ related incidents between January and September 2019 in which a total number of 68 incidents occurred, killing 18, displacing thousands and resulted in over 147 shops (though these figures may be higher as Xenowatch reports that underreporting of incidents a problem of underrepresentation). Figure 6 also shows statistics from the September 2019 events in which 12 people were killed and over 800 people were displaced. Of the 12 people killed, 10 people killed in the September violence were South African citizens according to Defence Minister Nosiviwe Mapisa-Nqakula, who continued to refer to the violence as acts of criminality (Gerber 2019; Al Jazeera 2019; Human Rights Watch 2019). Furthermore, according to Human Rights Watch (2019), the police have claimed to have arrested more than 600 people though remains sceptical based on previous waves dating back to 2008, which saw very few people eventually facing penalties in what is becoming characteristic in the waves of anti-immigrant violence in townships.

Figure 6: Incidents of xenophobic violence and type of victimization:
January 2019-September 2019

Category of Victimization	Total in 2019 (Jan-Sept)	Sept 2019 alone
Total number of incidents	68	28
Persons Killed	18	12
Displacement	1449	800+
Physical assaults	43	14
Shops looted	147+ ²	49+

Source: “Xenowatch Factsheet: 1 Incidents of Xenophobic Violence in South Africa: January-September 2019.” *Xenowatch*, Witwatersrand: South Africa, 2019.

Following the attacks at the beginning of the year, in March 2019 the government launched a “National Action Plan to combat racism, racial discrimination, xenophobia and related intolerance” (Mavhinga 2019; Department of Justice 2020) through a five-year plan of raising awareness, education programmes, data collection of racist and discriminatory activities. Despite this, violence erupted in September as well as minor incidents thereafter. Furthermore, in the immediate aftermath of the September events, there was a large scale reaction from numerous African countries, a much different picture to the previous waves. Nigeria closed off South African diplomatic representations by recalling its high commissioner and boycotting the World Economic Forum on Africa summit in Cape Town; and South African-owned stores in Nigeria were attacked in retaliatory protests (Dahir 2019; Burke 2019). Zimbabwe worked to repatriate 170 Zimbabweans, whilst Nigeria repatriated 600 from South Africa (Human Rights Watch 2019). Furthermore, football matches against the South African national team were cancelled by Zambia and Madagascar, and Zambia restricted Zambian truck drivers from travelling to South Africa; and University students engaged in large scale protests and riots at the South African High Commission in Lusaka, against the attacks in South Africa (McKenzie 2019; Al Jazeera 2019).

In response however, the government and the ANC party retaliated to the attacks by calling for a country wide end to criminality and attacks on migrants, but simultaneously called for tighter border control, through statements such that made by ANC party spokesperson Pule Mabe: ““law-abiding citizens are understandably sick of those who are breaking the moral fibre of our society by turning our kids into prostitutes and drug addicts”” (Peterson 2019; Burke 2019), whilst also

stating that the ANC “continues to condemn acts of xenophobia wherever these may rear their ugly heads” (Peterson 2019). President Cyril Ramaphosa however condemned the attacks by stating in a series of 3 videos on twitter, that there was “no justification to attack people from other countries. We need to act in a way we give respect to people from other countries, and we need to deal with our own problems and discuss issues. We cannot accept that South Africans don't welcome other people from other countries” (Ramaphosa 2019). In these videos, Ramaphosa at one point uses the word ‘xenophobia’ when saying that it is not welcome in South Africa. Despite this however, no subsequent measures or policies have been implemented to match the words of government officials that decry the attacks. Thus, in the face of its third major incident of widespread violence against foreign nationals, the rhetoric remained much the same from the government to decry the events without implementing policy.

4.2 Exploring Belonging in The Rainbow Nation

The waves of violence described above point to an important question of belonging in the ‘Rainbow Nation’ as the events point to a clear attempt to exclude individuals from it. As described in Chapter 2.1 and Chapter 2.4.1, the ‘Rainbow Nation’ was a concept used proudly by Mandela following South Africa’s 1994 emergence from the oppression of the apartheid era, and towards which multicultural unity, inclusion, and equality were the direction of the nation reborn. This was continued through Mandela’s successor Mbeki who, as seen in Chapter 2.1, was a leading figure behind the resurgence of African Renaissance ideology and practice, and from which his 1996 “I am an African” speech inspired principles of unity and inclusion across the African continent.

In analysing belonging in the Rainbow Nation, as also described in Chapter 2.1, the concept of Ubuntu was a fundamental concept at the core of the African Renaissance in South Africa and indeed a part of the ethos behind the ideology of the Rainbow Nation, vis-à-vis principles of a shared humanity; and towards a morally ‘good’ way of life. Thus, as seen in each of the attacks, the use of the term ‘*Makwerekwere*’ acts in contradiction to the philosophy of Ubuntu, by creating a boundary between belonging and non-belonging in South Africa (Amusan and Mchunu 2018); as perceived by those participating in the violence. Furthermore, the exclusionary nature of the term ‘*Makwerekwere*’ and its use to devalue the immigrants that it targets, have been used by

Matsinhe (2011) and Amusan and Mchunu (2018) as an ideology from which the ideals of social exclusion have been adopted by the masses and by which it continues to dominate the fields of belonging and non-belonging. Crucial to this dynamic, as Elias and Scotson (1994) identify, is the way in which the maintenance of perceived social superiority requires the use of labels over another group as a weapon in the power struggle, and to reaffirm hegemony by establishing this power dynamic. Thus it is argued that “this belief, which is attributable to the fear of the unknown, cultural preservation and the urge to preserve a certain political-economic *status quo*, is permeated to citizens of South Africa at every social status and race” (Amusan and Mchunu 2018:10). As a result, attacks on perceived foreigners and the continued use of exclusionary rhetoric function counter to the unity and conceptual ideals of Ubuntu (Amusan and Mchunu 2018) and further expand the boundaries of citizenry and non-citizenry as those existing within the citizen group reaffirm their status as citizens (Mosselson 2010). Neocosmos (2006) argues to this that citizenship is ultimately manufactured by the state through its practices (such as the Immigration Act); thus raising questions about the role of belonging and citizenship in South Africa.

As seen in Chapter 3.4, strong perceptions are held by many South Africans that immigrants are taking jobs, economic opportunities, and houses away from South Africans. Thus belonging and citizenship are consequently reaffirmed via the construction of immigrants as an exception to ordinary human rights than South Africans (Mosselson 2010). This has been seen in Chapter 3.2 in which the two Immigration Acts of 1991 and 2002 and their subsequent amendments, legally permit the exclusion of immigrants from societal integration based on both requirements to entry as well as interpretation and application by officers who use it as a chance to exploit immigrants. Furthermore, employed immigrants residing in townships which see high unemployment rates, and in areas that face dire economic situations, further act to reinforce these exclusionary sentiments within policy makers who seek to safeguard the domestic job market in favour of South Africans. These factors can further be seen as reasons as to why anger and hostility is directed towards immigrants rather than affluent South Africans, which thereby shows the levels of boundary-making, wherein the South African citizenry is the basis of belonging in the social reality of the Rainbow Nation (Mosselson 2010). This, in addition to the expectation and exceptionalism described in Chapter 2.4, can thereby be used as reasons to explain why “since the collapse of apartheid, the phantom of Makwerekwere has been constructed and deployed in and

through public discourse to render Africans from outside the borders orderable as the nation's bogeyman" (Matsinhe 2011:295), and reinforced by rhetoric of 'foreigners' in these aspects.

Research conducted by Matsinhe (2011) finds that the word 'foreigner' is equated mostly with 'black foreigner' by many South Africans, along with further negative connotations; whilst other races and ethnicities are seen as creators of wealth (Matsinhe 2011). Furthermore, Matsinhe (2011) notes that "a recent study found that in South Africa's tourism industry 'tourist' is a 'whites only' category; African foreign nationals are *personae non gratae*" (Matsinhe 2011:296). Thus, from this analysis, what can be seen is that the apparent fervent 'afrophobia' is a hindrance to social cohesion because of the categorical exclusion, even via terminology, of 'Africans', which continues discrimination and forces a lack of integration as envisioned by the ideology of the 'Rainbow Nation' (Amusana and Mchunu 2018). One explanation to this would be the function of power dynamics in establishing powerful group self-images, and hierarchies of belonging as argued by Elias and Scotson (1994) who note that:

"One can observe again and again that members of groups which are, in terms of *power* stronger than other interdependent groups, think of themselves in human terms as *better* than others... This is the normal self-image of groups who in terms of their power ratio are securely superior to other interdependent groups... the more powerful groups look upon themselves as the "better" people, as endowed with a kind of group charisma, with a specific virtue shared by all its members and lacked by the others. What is more, in all these cases the "superior" people may make the less powerful people themselves feel that they lack virtue that they are inferior in human terms" (Elias and Scotson 1994:xv-xvi).

In Chapter 3.2, it was observed that the Immigration Act of 1991 and later of 2002 established criteria for which residence in South Africa was permissible: either through citizenry, work, or via refugee status. And in the latter two cases, there were seen to be strict criteria for residence in order to promote the wellbeing of South African citizens and fulfil the promises outlined in Chapter 2.2 – to provide jobs, liveable conditions, peace and safety, and promote democratic principles. However, as seen in the realities of Chapters 2.4, many of these promises remained unfulfilled, but the consequences created a state of expectation and exception, from which 'South Africanness', by means of indigeneity (Neocosmos 2006), means an existing aversion to 'Africanness' born of the aforementioned exceptionalism and entitlement (Crush 2000;

Beetar 2019). Thus, when these factors are combined, the perception of retained power is strong within the hegemonic identity of ‘South Africanness’, for which the exceptionalism and entitlement create the self-image of superiority. The continuous use of terms such as *Makwerekwere* for example becomes an apparent attempt by the hegemonic, “superior” South African to reaffirm the inferiority of those it deems to be undeserving of the promises of Rainbow Nation ideology – the African migrant groups. Thus, the identity construction and the creation of belonging under specifically “South Africanness” afford the exceptional majority powerful weapons to stigmatise and exclude others in order to maintain identity and superiority (Elias and Scotson 1994); and by effect maintain their exceptionalism. This has been seen through such features as: the use of terms such as *Makwerekwere*; legislative impunity afforded to police in dealing with immigrants; and reflectively the lack of prosecutions following each of the three waves of anti-foreigner violence.

One possible explanation to these phenomena is that there exists within the post-Apartheid state, a crisis for *national identity*. For example, in an analysis, Pillay (2013) compares the humanitarian conditions of refugee attacks in the past decade, to the conditions of black South Africans placed in ‘homelands’; a social displacement Pillay likens to refugees in their own country. Pillay analyses citizenry in the apartheid era along the lines of the right to belong based on *residency* in South Africa; insofar as apartheid denationalises citizens making them akin to political refugees, thereby politicizing indigeneity by making citizens domestic foreigners (Pillay 2013). From this perspective, Pillay analyses the ways in which terminologies of belonging become preconditions to the political environment within which they exist. This thereby suggests that the structures adopted from the apartheid era bring with them questions of belonging and citizenry by bringing to the forefront of thought, questions of laws and rights adhered towards addressing these questions on structural and societal levels.

In much the same way, one may argue that the post-Apartheid reality showed that the ideological identity construction under “Rainbowism” was rendered hollow due to the realities of exclusion that persist within South African society. From this perspective, it may be seen that the post-Apartheid social dynamic plays along much the same argument as Elias (1994) whereby the ‘social prejudice’ established against the oppressed majority during Apartheid in their classification of lesser than the hegemonic group, are maintained in the legal structures (such as

the Immigration Act of 1991) which foster an environment of counter-stigmatisation from which the balance of power establishes the exceptional post-Apartheid South African as superior to the foreign immigrant. Thus, the national identity crisis emerges from this realisation and in the face of counter-realities to perceived exceptionalism. This state of exception on the basis of citizenry creates therefore the condition to exclude those who do not fall within the criteria of the perceived exceptional citizen.

Mosselson (2010) argues that the attacks of 2008 for example represented the relationship of power versus vulnerability, and in which perceptions of the ‘deserving’ residents in the nation reaffirm the power of status held by South Africans involved in the attacks (Mosselson 2010). This, when combined with Elias and Scotson’s (1994) theories of ‘the established and the others’ mentioned above, what is evident is the need of the powerful to reaffirm their hegemony and maintain the exceptional rights of entitlement that the ‘Rainbow Nation’ was perceived to provide. From this perspective, and in the face of the ‘rights to resources’, citizenship may be seen as a type of resource deemed an entitlement to South Africans based on the history of exclusion from citizenry, and based on promises of inclusion by the post-Apartheid state. From this point of view, the fear of the undocumented immigrant is in reality a threat as it holds no ground to the resource of entitled citizenry. However, in this perception of power and entitlement, and subsequent reaffirmation of hegemony through violent action, as Gibson (2011) points out, “those who were not singled out for attack were the rich – both White and Black (African and Indian) – who were by definition not ‘foreigners’ in South Africa” (Gibson 2011:193). To answer this, Coplan (2009) argues that foreignness is not the only criteria of social exclusion in South Africa, and even within the Rainbow Nation, exclusion occurs amongst South Africans themselves.

As evident in September 2019, of the 12 people killed, 10 were South African citizens. According to scholars (Coplan 2009; Gibson 2011; Matsinhe 2011), many South Africans are targeted in attacks for having dark skin colour, a trait associated by attackers - and at times the police - with Zimbabwean immigrants. Similarly, Neocosmos (2006) argues that exclusion is directed towards those who “correspond to stereotypes of the stranger in specific situations, especially that from Africa” (Neocosmos 2006:06). Coplan (2009) documents numerous cases of such occurrences over many years, and in which exclusion by race persists in the ‘Rainbow Nation’. Furthermore, one particular aspect of social hierarchy presents itself in the form of the

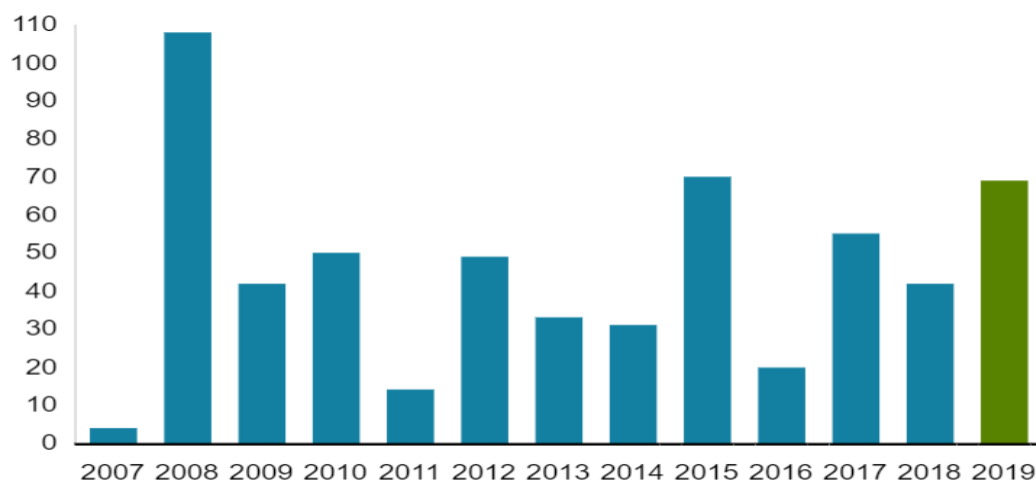
minority wealthy black middle class (Gibson 2011:192). Moeletsi Mbeki for example, argues that post-Apartheid South Africa has seen the rise of “a small class of unproductive but wealthy black crony capitalists made up of ANC politicians” (Mbeki cited in Gibson 2011:116; Kaßner 2014:330). Kaßner (2014) argues that this is a result of the reliance on a macroeconomic framework from which South Africa was transformed from a racially-divided nation into a class-divided nation which has consequently increased social tensions. As Chapter 2.4.1 shows, according to Gini measurements, South Africa stands as the most unequal nation in the world with poverty rates at 26.6% and unemployment at 27.3%, as of 2019. In the face of decades of unequal economic statistics, Kaßner (2014) argues that economic social climbers in the public sector rely heavily on state protection, and this was seen following the 2008 global economic crisis in which a million jobs were lost; and wherein the middle class remained largely unaffected due to the high demand for skilled labour. As mentioned in Chapter 3.2, the ‘brain drain’ experienced in South Africa since the end of Apartheid created a demand for skilled labour. Thus, Kaßner (2014) argues that “instead of contributing to the social transformation of the country, it is characterized by a culture of corruption and self-enrichment” (Kaßner 2014:330). Thus, in the face of these realities, questions mount as to why immigrants are burdened with the blame for the social and economic problems as opposed to the wealthier components in society, particularly as it was shown in Chapter 2.4.3, corruption and economic self-interest run deep in every sector of society.

4.3 Analysis of The Three Waves of Violence

South Africa was gripped by three major waves of violent anti-immigrant attacks in 2008, 2015, and 2019, in which many were killed and thousands were displaced, as seen in the previous sections. As Figure 7 shows, although these events of attacking foreign immigrants were not new, they witnessed the highest levels of violence in 2008, 2015, and 2019; and as stated by Xenowatch (2019), has become a feature of post-Apartheid South Africa. Chapter 4.1 has shown how the patterns amongst them reveal that each of the three attacks originated in impoverished townships wherein unemployment was high, and where crime rates were similarly high. Thus in initially addressing the rhetoric used by the government in the aftermath of each event, one sees a trend in the labelling of the attacks as criminality rather than acknowledging the broader range of causality

and mentality behind these acts of lawlessness. Furthermore, in thereby addressing these broader range of causality, patterns of causality remain consistent with each wave of violence that emerges, as will be analysed. These patterns it will be argued, are indicative of the perceived threat to ways of life that are supported and reinforced by the law, by government institutions and members of the government as seen through immediate talk and action in the aftermath of the violence to tighten immigration policies and to crack down on immigration perceived to be illegal in and across the country.

FIGURE 7: THREATS, ATTACKS, AND KILLINGS AGAINST FOREIGNERS IN SOUTH AFRICA



Source: “South Africa: How Common Are Xenophobic Attacks?” *BBC News*, BBC, 2 Oct. 2019, <www.bbc.com/news/world-africa-47800718>.

Each of the three waves reveal that they culminated on the efforts of mounting anti-foreigner events, movements, and sentiments; all of which resulted in violent displays of destruction, murder, and displacement of thousands of immigrants over the years. Figure 5 in Chapter 4.1.1, for example shows that in the build up to the 2008 attacks, perceptions in rural communities of foreigners were inhospitable, and were continuing to decline gradually until the outbreak of the violence on the 11th of May, which was spearheaded in previous weeks by community leaders and political meetings that blamed immigrants and foreigners for the woes of the communities. Similarly, in 2015, rumours spread in the townships in Durban that foreigners were primarily behind crimes in the area, and were escalated further when Zulu King Goodwill Zwethilini, a cultural figure with high social rank, called for foreigners to leave the country. This was a pattern seen again in 2019 whose build-up began a year earlier when the new African Basic

Movement political party, whose agenda is largely against foreigners in nature, marched the streets of Johannesburg seeking to expel all immigrants from the country; ultimately enabling smaller scale skirmishes through 2019, until rumours of foreign owned stores exploiting South Africans prompted the September 1st violence and looting.

In each of these three major waves of violence, a clear pattern of pre-event anti-foreigner rhetoric from government or community leaders prompted flurries of violence that left hundreds dead and hundreds of thousands displaced across the country, as seen in the statistics in Figure 8. In each of the three waves, the specific target of the attacks were immigrants living in South African townships, however, what is apparent is that the criteria of who was attacked changed in each of the three waves. In 2008, black African migrants from Malawi, Mozambique, Somalia and Zimbabwe were specifically targeted as they were perceived to have successful small businesses. In 2015 Muslim immigrants (specifically of Somali origin) were targeted due to rumours about recent murders spreading that depicted the image of a Muslim man being behind the murders. And in 2019, all foreign owned stores were attacked following movements and rumours that claimed foreign owned stores (though still dominantly African owned stores) were exploiting South Africans with their business practices.

From these three cases, what can be seen are the gradual changes of criteria for the attacks that shifted from solely African migrants to all foreign migrants in townships, though all the while still primarily targeting migrants of African origin. This precedent similarly maintains that immigrants are targeted in every case. Furthermore, as explained in Chapter 3.4, in each case there are common perceptions that immigrants are responsible for the crimes committed in the areas, and for taking business opportunities away from South Africans, despite there being no evidence to support this. Additionally, as seen in Chapter 3.3, crime has been linked directly to rampant poverty, and unemployed South African youths engaging in drug-related crimes with evidence showing that crimes are more frequently committed by South Africans than by immigrants. Therefore, what becomes apparent from the three waves is a situation in which categorical violence emerges in response to the perceived threat posed by immigrants and thus culminate in the widespread destruction and death. The question therefore becomes how does the government react in each of these cases?

Figure 8: Xenophobic violence incidents and types of victimization: 1994-2018

Victimisation	Total (1994-2018)	2018 (Alone)
Total number of incidents	529	42
Deaths	309	12
Physical assaults	901	29
Displaced	100 000+	1 145
Shops looted	2 193	139
Threats to safety or property	257	23

Source: “Xenowatch Factsheet: 1 Incidents of Xenophobic Violence in South Africa: January-September 2019.” *Xenowatch*, Witwatersrand: South Africa, 2019.

In 2008, the government was accused of responding slowly to the attacks which the National Defence Force being deployed to quell the violence ten days after they had begun, and during which time destruction and murder occurred uncontrolled. Furthermore, in the aftermath of the attacks government officials laid blame for the attacks on select criminal elements of the society and thereafter proceeded to implement tighter immigration control and immigrant policing. Additionally, to date, only 16% of those responsible for orchestrating and engaging in the violent murders and looting of 2008 received guilty verdicts, most of whom were able to pay a fine to avoid a jail sentence. Similarly, in 2015 the government rhetoric under the then president Zuma remained similar to those under president Mbeki in 2008, in which the government blamed criminal elements and vowed action; thereby proceeding to tighten immigration policy and launch Operation Fiela to arrest persons accused of being illegal immigrants across the country. Again only 22 arrests were made and there were no prosecutions for those arrested. In the aftermath of the 2019 violence, police claimed to have arrested over 600 people but independent observers remain sceptical of a significant number of them being prosecuted. The government rhetoric once again remained similar to those in the past with labels of criminality and no actual discussion of change other than the March 2019 National Action Plan. For the most part, the stance of the government can be summarised in a quote by Ndivhuwo Mabaya, the spokesman for the South African Department of International Relations and Cooperation in which he said: “these are groups of criminals who are taking advantage of the economic and social challenges in our townships and then mobilize other criminals to target foreign-owned shops,” (Powell and Cassim 2018).

Thus, with the failure to reveal recognizable plans to deal with the waves of violence or to reduce anti-foreigner sentiment, as well as to effectively deal with the rampant social and economic challenges in townships, Gordon (2016) argues that there are questions about the government effectiveness in dealing with them, particularly when in each case, the rhetoric post-conflict is always to decry them and to promise change. Instead, in each case, the response is seen to prompt raids that crack down on illegal immigrants. For example, Operation Fiela of 2015 saw 889 foreigners arrested, 745 of whom were undocumented and thus 144 were arrested as criminals (Mngxitama 2015) in a swift movement following the attacks.

Whilst not attempting to downplay or overlook the problem of undocumented immigration in South Africa, what is strikingly obvious are the efforts employed by the state to deal with their perceived ‘problem’ of immigration when statistically, there were comparatively very few arrests or prosecutions for those involved in killings against foreign immigrants in the last few years. In addition to this, based on the cases of corruption reviewed in Chapter 2.4.3 within the police sector, municipalities, and amongst border control, there is an agreement amongst “a coalition of non-governmental organisations, including Lawyers for Human Rights, Medecins Sans Frontieres, Section 27, Corruption Watch, Africa Diaspora Forum and Awethu, [who] have all criticised Operation Fiela for perpetuating xenophobia” (Amusan and Mchunu 2018:08) by elaborating the government position of an existing a wider ‘problem’ of undocumented immigration; whilst simultaneously enabling environments of extortion by officers enacting the Immigration Act of 2002 with impunity. This is further supported by witness testimony of USM witnesses during raids of Operation Fiela that saw officer behaviour towards immigrants as indifferent and antagonistic (as seen in the 2015 Attacks section above), which saw the subsequent extortion, exploitation, and maltreatment of African immigrants in what were reminiscent of apartheid era institutional violence (Klotz 2013:02; Amusan and Mchunu 2018).

Harris (2002) proposes three independent hypotheses based on Morris’ (1998) theses of explaining hostility towards African migrants. Harris sees these as potential explanations of ‘xenophobia’ in South Africa: ‘the scapegoating hypothesis’, ‘the isolation hypothesis’, and ‘the biocultural hypothesis’. The scapegoating hypothesis “looks at xenophobia within the context of social transition and change” (Harris 2002:171); wherein conditions of limited resources coupled with high expectations create frustration and causes people to seek blame for these conditions. As

a result, violence is “not an inevitable outcome of relative deprivation” (Harris 2002:171) but rather *frustration* crucially is. This frustration and hostility towards foreigners is a manifestation of factors that include limited resources, housing, education, health care, and employment (Harris 2002). Certainly in the cases of all three attacks in 2008, 2015 and 2019, this theory can hold true wherein frustration manifests out of the relatively limited resources and opportunities available to the general South African population as a result of the poor economy, and high levels of corruption (as explored in Chapters 2.4). This, coupled with the functional exceptionalism maintained by many South Africans, reveals the development of frustration towards immigrants perceived to have access to these resources and opportunities. These perceptions as argued previously have been seen to manifest from political discourse as well as perceived realities and rumours, which was largely evident in each of the waves of violence. This is further reflected in statements such as that made by Thembelani Ngubane, founder of African Basic Movement party in 2018: “we cannot allow foreigners, even legal foreigners, to do small businesses in South Africa...That is for South Africans only. Illegal foreigners cannot do business. The constitution says they must be deported.” (Powell and Cassim 2018).

Thus it is evident that the illegal foreigner becomes the target of these frustrations borne out of limited resources, particularly employment, that South Africans feel entitled to. Furthermore, to further support the ‘scapegoat hypothesis’, Harris argues that these frustrations are borne within the context of social transition and change, which was seen in the three attacks which coincided with upcoming or following elections (McKenzie 2019). The May 11th 2008 violence for example were seen by some as a means by which to destabilize the upcoming elections of April 2009 against president Mbeki, who was subsequently succeeded by president Zuma in 2009 whose campaign grew popularity for promises to deport Zimbabwean nationals. Similarly, the April 14th 2015 and October 21st 2015 violent outbreaks came a year after the May 7th 2014 elections won by Zuma who was in the midst of corruption scandals (as discussed in Chapter 2.4.3). Furthermore, the violence of September 1st 2019 followed the May 8th 2019 election. These three events have in common a period of transition from one government to another whose campaign promises differed between them despite being of the same ANC political party, which held power since 1994. Thus it may be argued that the consistency of the ANC coupled with the inconsistency of its leaders reflected the uncertainty of the voters during the periods of transition, that still held expectation in the promises of the ANC’s 1994 election promises.

The ‘isolation hypothesis’ according to Harris, “situates foreignness at the heart of hostility towards foreigners” (Harris 2002:172), and explains apartheid as being a cause for xenophobia due to South Africa’s seclusion from the International community (Harris 2002:172). In this way, foreigners become an unknown to South Africans, and thus interactions with foreigners are placed within an environment of hostility that is allowed to develop due to this unknown (Harris 2002). It may be argued that in some ways this hypothesis may hold true, such as the economic reliance on immigration to maintain the failing economy. However, it must be noted that this hypothesis draws short by failing to acknowledge the migrant labour to South African mines decades prior to the end of apartheid. However, the hypothesis does explore “suspicion and hostility towards strangers in South Africa [which] exists due to *international* isolation” (Harris 2002:173). From here these suspicions stem from the external as well as internal boundaries established during apartheid, from which the external, global developments would be unrecognizable to the majority of South Africans. This may be seen in each of the cases of violent waves in 2008, 2015, and 2019 in which rumours circulated prior to the attacks, about foreigners and their activities; and from which both suspicion and hostility of the foreign other are evident. Furthermore, the perceived problems caused by the illegal foreigner for decades had become a political and social cause of suspicion, which prompted large scale raids such as Operation Fiela, and from which hostility was borne out of political rhetoric, economic woe, and rising crime rates parallel to rising immigration rates. Thus, the ‘isolation hypothesis’ may be somewhat seen via its positioning of foreignness at the core of hostility, and from which suspicion continues to flourish in terms of the cause of societal woe.

Lastly, the ‘biocultural hypothesis’ proposes that there is a difference between the various types of foreigners in South Africa, and provides an explanation as to why some foreign groups are targeted in hostilities and not others (Harris 2002). African foreigners in particular are thus seen to be targeted due to both their physical biological difference and cultural differences, as they signal whom to target based on who the South African public finds unwelcome (Harris 2002). This is seen in cases such as one noted by Mosselson in which a witness described the events of 2008:

“‘We were confronted by a group armed with hammers, machetes and pangas. Others had stones . . . They stopped us and demanded to see our ID’s. Then they said there was no need because our dark skins and accents made it clear that we are foreigners’” (Mosselson 2010:651).

This basis of being welcome stems from the social perception, and certainly in the three attacks of 2008, 2015, and 2019, what is clear are the specific targeting of particular foreigners. In 2008, black African foreigners were targeted whilst in 2015, Muslim foreigners were targeted, and in 2019, all foreign store owners were targeted. In each of these cases, there was a societal classification that for the most part stemmed from the perceived threats of illegal immigrants that grew to see the foreigners as exploiting South Africans due to their access to limited resources and employment. Furthermore, as discussed in Chapter 2.4.3, practices of exploiting immigrants by the police and border control functioned along the ‘biocultural hypothesis’ wherein officers targeted immigrants of particular and specific backgrounds for exploitation and bribery. Furthermore, Harris proposes that broad social institutions such as the media produce negative representations of Africans outside of South Africa which further the exceptionalism perceived by many South Africans (Harris 2002; Matsinhe 2011). However, this can be furthered to include politicians and political parties through comments and opinions that hold no factual ground, and in which immigrants are blamed for many societal and economic problems, as seen in specific examples of the Minister of Home Affairs and the Minister of Defence in 1997, as well as by the Member of Executive Council for community safety in 2016 (detailed in Chapter 3.4).

Each of these three hypothesis can be seen to hold substantial application in explaining where ‘xenophobic’ violence emerges from, however whilst Harris states that they are not mutually-exclusive, each hypothesis can be seen to be interlinked through many of the socio-political causes for subsequent violence. The illegal foreigner appears to be a persistent problem in post-apartheid South Africa for which the state has proposed and amended legislature, and towards which the majority of the country are clearly seen to feel threatened by. In either case, each of the three hypothesis reveal the way in which foreigners are targeted as perceived causes of societal and economic problems – for which Gibson (2011) and Mbembe (2015) argue national-chauvinism what is really occurring. Mbembe argues that South Africans are socialized into “national-chauvinism” by seeking foreign targets for the problems of the country, and justifying the subsequent violence via the rampant exceptionalism that the majority of the population feels (Mbembe 2015). Neocosmos (2006) similarly argues that this nationalism is based on exceptionalist ideologies that reject the notion of ‘group rights’; an image, he argues, that is reminiscent of apartheid nationalism which oppressed people through the notion of group rights. This therefore, may be one explanation as the high levels of exceptionalism hold firm that the

promises of 1994 will one day be fulfilled, but only to the South Africans who are part of this exception. Thus, the three hypotheses mentioned by Harris (2002) hold further ground as they highlight the role of foreignness in interfering with the national unity perceived to have been referred to as the ‘Rainbow Nation’, by – what this research will term - South African ‘expectationists’.

Consequently, the events of the past few decades have drawn large scale criticism from international governments and international organizations, as seen by the responses of numerous African countries in reaction to the 2019 events. What becomes apparent is that while most South Africans cling to the hopes and promises of Mandela’s 1994 Rainbow Nation, as Pineteh argues, it “is no longer the imagined safe haven for African Migrants” (Pineteh 2017:01). It is at this point undeniable therefore to argue that the image of South Africa has suffered significantly in the face of violent action against African immigrants, and a clear signal that the image of the leaders once heralding the African Renaissance cannot be fully upheld in the face of fervent anti-immigrant movements that manifest through violent conflict. In one sense, the attacks probably come as a reality check to the rest of the continent that the dream of an African Renaissance is still largely fragile and ranks far below neoliberal economics in priority. Furthermore, it is seen that in each of the three waves of violence that emerged, the response to tighten immigration control has been employed by the ANC government in what can be seen as an appeasement practice to reassure the population that the government is doing what it can to stem the perceived problems that prompted the violence in the first place. Ultimately, what may be argued is that there exists a grandiose lack of political or social *accountability* for the comments made by politicians, and the subsequent violent ramifications that ensue. This is seen in numerous cases mentioned in previous sections of comments made by members of the government, as well as in 2015 through comments made by Zulu King Goodwill Zwethilini which each escalated and had violent ramifications, but following which there was no iota of accountability or attempt to remedy them. Instead, the process of blaming immigrants and rounding them up continued. The next section will be a discussion which will address this process of *scapegoating* the foreigner.

4.4 Analysis & Discussion: Scapegoating The ‘Successful’ Foreigner?

On May 8th 1996, Thabo Mbeki delivered his famous “I am an African” speech, two years after Nelson Mandela was elected the president of the Republic of South Africa. These two events marked not only the end of the country’s history of oppression under the apartheid system, but also the birth of the so called Rainbow Nation, an ideology and a dream of a multicultural nation united under the ideals of inclusion and peace. However, despite the dreams and ideologies for an all-inclusive nation, the socio-economic realities of post-Apartheid South Africa have been marked by rampant inequality, uncontrollable crime, deep-rooted corruption, and the widespread social exclusion of African migrants in the country; all of which culminated in three waves of extreme violence in 2008, 2015, and 2019 against immigrants.

The reasons for the waves of violence are a key argument which divides the scholarly debate. According to Mosselson, the ruling African National Congress (ANC) party cite a cause of the 2008 violence as being generated by an Annual General Meeting of the Inkatha Freedom Party on the weekend of 10th May, in which “a resolution was taken to drive foreign nationals out of Alexandra” (Mosselson 2010:649), following which the violence began. Furthermore, other organizations such as the South African National Civics Organization; and the Alexandra Community Policing Forum, both held prior meetings in March of 2008 in which they “blamed rising crime, murder and rape on migrants... [and] resolved to drive out the foreign nationals from Alexandra” (Mosselson 2010:649). Chapter 4.1 will explore this further along with pointing to similar origins in the waves of 2015 and 2019.

A number of scholars (Harris 2001 & 2002; Landau, Ramjathan-Keogh and Singh 2004; Trimikliniotis, Gordon & Zondo 2008; Hiropoulos 2019) root a major cause of the attacks in the socio-economic preconditions within which many South Africans found themselves in the years following 1994. These scholars point to the neoliberal implications of policies that the government implemented over the few decades following the adoption of the rainbow nation. As it has already been discussed, the neoliberal implications rendered much of the population in extreme conditions of poverty, which in turn generated insecurities in the state institutions and structures. The arguments towards this rest within the perceptions that have been generated which see immigrants as occupying jobs and positions rightfully meant for South Africans, as well as working these jobs at rates that are lower than what South Africans would not; in addition to the perceptions that immigrants contribute to rapidly increasing crime in the nation

(Neocosmos 2006; Mosselson 2010; Booysen 2013; Mamamabolo 2015; Langa & Kiguwa 2016; Solomon & Kosaka 2016).

In an analysis, Pillay (2013) compares the humanitarian conditions of refugees attacks in the past decade, to the conditions of black South Africans placed in ‘homelands’; whom Pillay likens to refugees themselves. Pillay analyses citizenry in the apartheid era along the lines of the right to belong based on residency in South Africa, insofar as apartheid denationalises citizens making them political refugees, thereby politicizing indigeneity by making citizens foreigners (Pillay 2013). From this perspective, Pillay analyses the ways in which terminologies of belonging become preconditions to the political environment within which they exist. This thereby suggests that the structures adopted from the apartheid era bring with them questions of belonging and citizenry by bringing to the forefront, questions of laws and rights adhered towards addressing these questions on a structural and societal level.

In addition to these consequences, many scholars (Landau, Ramjathan-Keogh and Singh 2004; Mbembe 2015) discuss the ways in which the state itself uses immigrants as a means to deflect attention away from their own failings. Mbembe (2015) would appear to agree with this, expanding it further by stating that “National-chauvinism is rearing its ugly head in almost every sector of the South African society. The thing with national-chauvinism is that it is in permanent need of scapegoats. It starts with those who are not our kins. But very quickly, it turns fratricidal. It does not stop with “these foreigners”. It is in its DNA to end up turning onto itself in a dramatic gesture of inversion” (Mbembe 2015). Mbembe proposes that national-chauvinism is contributing largely to the growing anti-immigrant attitudes and movements towards the purposes of establishing scapegoats out of immigrants. In a similar study of xenophobia conducted in Italy, Fazzi (2015) observes how “in many countries, the political agendas of the parties in government have been characterized by a concern to reassure citizens in regard to the control of migratory flows” (Fazzi 2015:596).

On the other hand, some scholars have taken the approach to reviewing xenophobia from the lens of the social imaginary, wherein they question why the attacks wrought shock and awe when violence, it is argued, is a social norm in South Africa (Harris 2002, Mabera 2017). Bronwyn Harris (2002) terms this norm South Africa’s ‘culture of violence’, and presents that the attacks were a form of violence, hitherto falling within the norm of violence he outlines

(Harris 2002:180). Harris argues that although it is not talked about, and is denied in discourses, “violence is an integral part of the social fabric [of South Africa]” (Harris 2002:180). This is supported by Moagi, Wyatt, Mokgobi, Loeb, Zhang, and Davhana-Maselesele (2018) who site the cause of this South African-centric mentality as being the result of a history of “context historic ethnocentrism” (Moagi et.al. 2018:196). Specifically, what they argue is that often, “societies with a history of racism and/or ethnocentrism, xenophobic and discriminatory attacks occur along racial/ethnic lines” (Moagi et.al 2018:196); and that because South Africa is a nation with just such a history, it is understandable why immigrants are targeted for possessing different heritages (Moagi et.al. 2018).

What is therefore an increasingly common theme in the literature, are the ways in which the state itself is constructed on a framework of exclusionary practices that are points of departure from the founding edicts of the post-apartheid state after 1994. According to Langa and Kiguwa (2016), the construction of nationhood and citizenship in post-apartheid South Africa remains fraught with tensions, contradictions, psycho and social politics of identity, belonging and nationhood. “Enactments of xenophobic violence in itself exemplifies these tensions and contradictions as well as class and racial formations” (Langa & Kiguwa 2016:80).

As noted in Chapter 1.4, and throughout the subsequent chapters, there exist numerous indirect causes for the escalation of violence in these three specific dates that date back to the apartheid era and are subsequently legacies of it. These include such things as a poor economy inherited from the apartheid government, as well as social complexities and histories of exclusion which the new government of 1994 attempted to remedy through promises of change and the delivery of economic uplifting to the nation. Additionally, the ushering in of the African Renaissance by Thabo Mbeki promised to see South Africa emerge out of the shadows of isolation and into the global sphere as a leader of Pan-African unity, as evident through its commitments to the movement of people through SADC. The realities of the post-Apartheid nation however have seen the rise of decades of violence against African immigrants. Crucial to this, as seen in Chapter 4.2, is the construction of identity, for which the emerging picture of contemporary South Africa appears to be a crisis of national identity. 1994 showed to the world a nation reborn, and the ‘Rainbow Nation’ through ideology created an identity for this rebirth, behind which the nation saw unity. The post-Apartheid reality however questioned this identity constructed unity by

exacerbating the challenge of rebirth, and placing into doubt the attainability of this 'Rainbow' identity. The reaction of African countries, and their citizens, may be viewed as a counter narrative to the exceptionalism many South Africans may have felt in 1994, and shows a departure from the sentiments and attitudes of unity experienced during Mbeki's tenure of discourse and leadership of the African Renaissance at the beginning of the century. A departure from the awe of Mandela and the 'Rainbow Nation', and from Mbeki's "I am an African" speech which saw the continent turn to South Africa as a beacon of the future of Pan-African development and unity.

The term used commonly to describe the collective sentiments and actions against foreigners continues to be 'xenophobia', defined in Chapter 1.4 as the fear or hatred of foreigners as evident through discriminatory attitudes and behaviours that culminate in violence and abuses. The purpose of this research thus far has been to review South Africa post-1994, in which the systems of discrimination against foreigners is a visible reality; and in so doing to critique the use of the word 'xenophobia' as the dominant label of such movements against foreigners by reviewing the social, economic and political modes of exclusion that culminate eventually in so-called 'xenophobic' action. The reason for this has been because the shortcomings of such a label lay in the simplistic categorisation of violence and sentiment that is situated solely on the immigrant towards whom they have been targeted. Instead, however it has been argued throughout this research that numerous causes and perceptions emerge that contribute to the foreigner eventually being targeted. Therein rests the cause for concern with the label of 'xenophobia' for which broader historical social, political and economic factors are not addressed in its application, nor are the factors behind their conception fully realisable via simplistic categorization. It is for this reason that terms such as 'afrophobia' or 'discrimination' cannot be employed as they too account for the attitudes towards the immigrant without conceptualizing the context of othering from broader perspectives across the social, political and economic spheres.

One reason to support this is seen through the rampant establishment of exceptionalism that presents itself as a hegemonic entity within the social sphere of existence. As seen in Chapter 2.4, the creation of high expectation was created out of the promises of the post-Apartheid government that included: wealth distribution, housing, education, peace, and an end to the violence that had historically been a characteristic feature of the South African past. The expectations created with them the notion of exceptionalism in which the 1994 democratic process

of reconciling with the historically unique past, was perceived to differ from such processes across the African continent, and thus warranted the perception of cultural and political complexity exceptional only to South Africa, in the continent. This exceptionalism and expectation thus serves as the rationale to which historical reconciliation of this nature warrants South Africans who were violently excluded throughout their history of that which was promised to them through the 1994 dream of the 'Rainbow Nation'. It is for this reason that Zimbabwean writer Mavuso Dingani argues that "when the poor of the townships were promised heaven and earth after the democracy they have the right to expect nothing less" (Dingani 2008).

However, expectation and exceptionalism on their own within the social sphere hold further connections to political and economic realities that presented themselves as exclusionary in nature in the post-Apartheid 'Rainbow Nation'. As shown in Chapter 2.4.2, the economic realities post-Apartheid were far from desirable for the 'Rainbow Nation' idealists, and post-1994 the nation was forced to find economic strategies to cope with this. The Reconstruction and Development Programme (RDP) was therefore implemented to combat the weak economy inherited from the Apartheid era, and was tasked with fulfilling the promise of the 'Rainbow Nation'. However, this was replaced by the Growth, Employment and Redistribution (GEAR) policy only two years later, which adopted macro-economic and neo-liberal economic policies that, as argued by Moeletsi Mbeki, created a small class of wealthy, elite capitalist in the face of a nation becoming increasingly ravaged by high poverty and unemployment rates – these are evidently seen in and across South African townships (as discussed in Chapter 4.2).

Besides, as seen further in Chapter 2.4.3 and Chapter 2.5, the favourability of neo-liberal economics brought with it the allure of corrupt practices that are present in every national sectors, with the head of state additionally shown to be no exception to this. Corrupt practices exist consistently in large degrees as seen through independent analysis over the last decade, and within which abuse of power in every sector highlights a root cause towards the loss of credibility in public institutions by the citizens of the nation. These practices further coincide with increasing violent crime rates for which public perception and trust in its institutions can be seen to consequently decline significantly. Thus, these social structures of economic benefit and systems of exclusion can therefore be seen as social disparities as a consequence of economic policy and

the further failure of deliverance of the promises of wealth redistribution and equality that were central to the ANC promises of 1994; and by effect of the 'Rainbow Nation' ideology.

Furthermore, in the face of social disunity and mistrust, and economic frailty and malpractice, the task of the post-Apartheid state consisted of policies that promoted the ideals of the 'Rainbow Nation' ideology, in particular inclusion and wealth distribution. As shown in Chapter 3, a challenge to policy making and implementation rested in the problem of immigration into the country by citizens of neighbouring countries who themselves sought alleviation from the problems of their own countries, and to participate in the benefits and dreams of inclusion promised by the 'Rainbow Nation' for all, and reinforced by ideologies of the African Renaissance. However, the economic legacy inherited from the Apartheid system, including the lack of skilled labour in the domestic labour force required the maintenance of strict immigration policy such as the Aliens Control Act of 1991, inherited from the apartheid era, to curb the inflow of migrants and promote the domestic labour market. Additionally, its harsh treatment of undocumented immigrants has been shown to create an environment of exclusion, both socially and politically, towards undocumented immigrants later deemed illegal.

Also, the Immigration Act of 2002 reflected the economic need for skilled foreign labour in the face of increasing emigration, as seen in Figure 2 which shows a negative Net Migration Rate with a figure of -5.8% in 2020 to indicate this. However, the entry requirements remained strict, and the treatment of those deemed illegal immigrants in the country continued to be dealt with in criminalised manners. To this end, and in the face of the aforementioned economic and social problems that continue to weaken institutional credibility and the population's trust, as Landau (2005) shows, politicians have established the illegal immigrant as the 'enemy' of the state, employing rhetoric such as 'invasion', 'influx' and 'flood' to describe the levels of illegal immigration without any supporting evidence; and towards the purpose of shifting attention away from the government's own shortcomings. This is seen through specific examples of the Minister of Home Affairs, and the Minister of Defence in 1997, and thereafter through common public sentiment through rumour and further statements from politicians which reaffirm and lay blame for the failed manifestation of the promises of 1994.

Harris' (2002) three hypotheses as shown in Chapter 4.3, reveal causality and 'patternability' behind the three waves of violent anti-immigrant violence. However, they go

beyond this by revealing the extent to which the immigrant poses an uncertainty towards the process of constructing a national identity. It does so by first questioning the perceived exceptionality that dominates public perception, and second, proposes questions as to how they can be positioned, economically, in positions outside of the rampant poverty and unemployment faced by many South Africans still waiting for the manifestation of 'Rainbow' promises. This establishes a connection between the social and economic spheres in the national domain, and is further connected to the political sphere through strict immigration policy that both welcomes and discourages immigrants in the country. These questions therefore ultimately pose a problem for the state who, through the rise of the wealthy elite, weakening institutional credibility, rampant corruption and crime, and failing policy; have no way of credibly explaining the reasons behind the failed manifestation of 'Rainbow' identity.

Thus, as is evident through the rhetoric of numerous politicians and media, the immigrant is placed in the spotlight to shoulder the blame for most of the problems facing the South African people. This is seen by Glaser (2008) who argues that illegal immigration statistics have coincided with rising crime levels thus causing public perception that they are mutually exclusive, despite research conducted by the likes of Cheteni, Mah and Yohane (2018) which show no correlation between the two statistics. What is evident however, is that uncertainties of national identity can be thus argued to result in the political requirement for a *scapegoat* to explain persistent problems in the country, and as to why the realities of the nation decades after its rebirth remain virtually the same. The immigrant through legal persecution and exclusion, and from social perception, thus become the easy target on which to scapegoat government shortcomings as they are already in the eye of the public, an excluded entity to the national identity. Accordingly, the problem of 'xenophobia' can be perceived of as a crisis of a lack of *accountability* on the part of the politicians. Accountability thus becomes a critical point of departure for which the use of the terminology of 'xenophobia' in media and at times by government officials to describe the waves of violence, is itself a means of failing to hold accountability for the contexts of establishing sentiments to begin with. On the part of politicians, this accountability is non-existent in their use of the current terminology for in so doing, they rest full conceptualisation of the violence upon the aggressors and the victims, thus further restricting and limiting the broader realities of sentiment construction in this particular context, to a dualistic criminal confrontation. This therefore may be seen as a reason why in the aftermath of each wave, government response has been to tighten immigration

policy and increase police resources to sweep up illegal immigration, and appease the public that seeks action against the scapegoated ‘successful’ foreigner.

In the face of these realities, it can be seen how developments across and between the economic, social, and political spheres have created within the nation, an enemy of immigrants, perceived commonly to be responsible for many of the nation’s problems and by effect, for the failure of the government to deliver on the promise of a ‘Rainbow Nation’. From this perspective alone, the term ‘xenophobia’ can be used to refer to the fear or dislike of immigrants (or foreigners) on the basis of sentiment for which attitudes of exclusion prevail.

However, the argument of this research has been shown to extend far beyond sentiment. The overlapping complexities between and across the three spheres of the social, economic and political within the nation alone render sentiment far too simplistic a root of consequential violent action. Thus, for this reason it may be argued that ‘xenophobia’ as a terminology subsequently overlooks the broader *constructions* of root sentiment, for which the unique case of South Africa requires terminology which encapsulates the dynamics of exclusion at play within the three aforementioned spheres. For example, as Chandia and Hart (2016) point out following the waves of 2008 and 2015, there exists an obscure portrayal of the lived experiences of those victimized and those victimizing, which further reinforce conceptions of ‘otherness’. Although ‘xenophobia’ as a label highlights the duality of ‘otherness’, it fails to account for these lived experiences from the context of sentiment construction. Instead, it positions sentiment at the periphery of violent instigation when, as shown in this research, there exist multiple social, economic and political factors that are themselves crucial towards sentiment *construction*.

In much the same way, Harris (2002) notes that ‘xenophobia’ does not account for consequence or the effects of sentiment. In this way there is a further shortcoming of the existing terminology by which the effect and consequence of violent action are not accounted for, and neither are their subsequent impacts on the social, economic or political spheres from which they stem. Similarly, Harris (2002) notes that Kollapan (1999) warns that a rewriting of the definition of the term is required to reframe and incorporate the practice beyond merely an attitude. One may agree with this, however as mentioned before, the political lack of accountability would once more come into question in the face of the practice of such terminology as an activity. Rather, what is required in each of these cases is a terminology that extends beyond attitude to incorporate this

concept of accountability, for which policy makers and politicians themselves are confronted with the patterns of exclusion created through their rhetoric and practices of scapegoating. Thus, in so doing the simplicity of attitudes are expanded to incorporate the three spheres of social, economic and politician in the national domain, and through which accountability forces upon the nation the challenge of utilizing scapegoating as a means of evading responsibility.

5 CONCLUSION

This research has aimed to review and establish a theoretical understanding of the use of the term ‘xenophobia’ in describing the waves of anti-foreigner violence that emerged in South Africa following the end of Apartheid in 1994. Based on a qualitative analysis of existing research conducted on the concept of ‘xenophobia’ as apparent through three waves of violence, this research has sought to critique the continued use of such terminology in describing these waves. This has been done through the evidence provided for which the broader historical development of the social, political, and economic spheres of the national dominion reveal patterns of exclusion through an interconnected series of exclusionary scapegoating; and for which it has been argued that the term ‘xenophobia’ remains far too open and simplistic a label to describe this phenomenon.

The South African “Rainbow Nation” has been seen in Chapter 2, to have been birthed from the history of violent oppression and social exclusion, and towards which the challenge of national reconstruction was hindered in no small scale by the economic realities adopted from the apartheid era. This, it has been argued has stood in opposition to ideological manifestations of policies and realisations of inclusion that were proudly promised to the nation, once perceived to have reconciled with its historical past of exclusion. It has been shown further in Chapter 2, how these economic realities produced within this ‘Rainbow Nation’, rampant corruption in every sector of the country. This has been seen to coincide with increasing poverty and unemployment as consequences to the implementation of neo-liberal economic policies that in themselves hindered promises of wealth distribution by creating economic social stratification through the emergence of a wealthy elite capitalist element. Whilst a large portion of the nation reside in impoverished townships that face realities of rampant violent crime and corruption, the state response has subsequently been shown to target the immigrant population as the cause of the post-Apartheid reality of unfulfilled state promises. Thus, through what will be deemed a ‘failure of accountability’ on the part of the government to explain and appease a nation embroiled with fervent expectation and perceptions of unique exceptionalism; the state has established a norm of exclusion that targets immigrants.

Furthermore, African migrants in particular have been shown to be the target of this norm for which immigration policy serves as an example of the establishment of this norm of exclusion,

by creating the perception of a national problem of illegal immigration, as outlined in Chapter 3. First identified in the Aliens Control Act of 1991, and later continued through the current Immigration Act of 2002, illegal immigrants are raised to be a form of criminality that defies the national convention of inclusivity, a basis from which politicians have actively sought to exploit by thus placing the burden of responsibility for the nation's frustrations on this state created problem of immigration. Subsequently, the social sphere is modelled to reflect this norm of exclusion by which the aforementioned exceptionalism and expectation couples with the state 'failure of accountability'. Together, they create in the immigrant a perceived cause for the nation's problems; and towards which unrealised state problems take shape when immigrants are perceived to succeed and reap the benefits intended for South Africans, within a system of failed manifested promises.

Thus, as Chapter 4.2 argues, there exists within a nation of broken promises, a crisis of *national identity* that attempts to find explanations as to why social, economic and political problems still exist and to which the identity of the nation diverges from the promised 'Rainbow Nation'. Harris' (2002) three hypotheses of explaining xenophobia in Chapter 4.3, have been used to reflected this manifestation of national identity crisis through the means of violent reaction. They have thus shown that 'xenophobic' action does not simply function as a dualistic reflection of national sentiment, but are instead comprised of larger and broader interactions across the social, economic, and political spheres, and promoted via the norm of exclusion and 'failures of accountability'.

To this end, as analysed and discussed in Chapter 4.4, the use of the term 'xenophobia' falls significantly short of describing any of these larger broader interactions. Instead it remains open and simple by describing merely the nature of sentiment. The term 'scapegoat' has instead been produced, however it too remains somewhat off the mark, by only accounting for the processes by which action manifest, and overlooks sentiment. Thus for this reason this research may propose the use of the term 'xenophobic scapegoating', to describe the processes by which sentiment manifest and towards which targets are blamed for it. However, within this too rests a problem to highlight the existent norms of exclusion and in particular a 'failure of accountability', which are vital to understanding waves of violent action targeting foreigners. Thus this research proposes there may be a need to coin new terminology to account for these processes, and that the

problem of such labels, may rest in the lack of existing ones to encapsulate the broader causality and consequence of such violent reaction. However, that is beyond the scope of this research and further research into this would therefore be required.

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NOTE

¹ The apartheid system was a policy of separation by race of people in South Africa, and established the separation of living, education, and work of people in the nation. Officially introduced in 1948, the system was abolished and replaced in 1994 following a series of social, economic, and political changes which culminated in the election of Nelson Mandela as president of the Republic of South Africa that year; and ushered in the 'Rainbow Nation' to mark the future goal of inclusion for all.